

# NOTICES

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

### Connoquenessing Creek Watershed Conservation Plan

The Department of Conservation and Natural Resources (Department), Bureau of Recreation and Conservation has approved the Connoquenessing Creek Watershed Conservation Plan (Plan) and is placing the Connoquenessing Creek Watershed covered in the Plan in Allegheny, Beaver, Butler and Lawrence Counties, on the Pennsylvania Rivers Conservation Registry (Registry).

The Western Pennsylvania Conservancy submitted the Plan and other required information to gain Registry status.

After review of the Plan and other information, the Department has determined that the Pennsylvania Rivers Conservation Program (Program) requirements have been satisfied and places the following on the Registry:

1. The watershed area of Connoquenessing Creek (Allegheny, Butler, Beaver and Lawrence Counties) from the headwaters to its confluence with Slippery Rock Creek in Perry and Wayne Townships in Lawrence County—819.277 square miles.
2. The watershed area of Connoquenessing Creek (Lawrence County) from the confluence of Slippery Rock Creek in Perry and Wayne Townships, Lawrence County to its confluence with the Beaver River in Ellwood City Borough, Lawrence County—10.723 square miles.
3. All tributary streams within the Connoquenessing Creek Watershed except the Slippery Rock Watershed.

This action becomes effective November 20, 2010. Projects identified in the Plan become eligible for implementation, development or acquisition grant funding through the Program.

A copy of the Final Plan is available for review at The Western Pennsylvania Conservancy, Watershed Conservation Program, 246 South Walnut Street, Blairsville, PA 15717, (724) 459-0953 and Department of Conservation and Natural Resources, Rachel Carson State Office Building, 400 Market Street, 6th Floor, Harrisburg, PA 17101, (717) 783-2712.

Maps and supporting data are available by contacting The Western Pennsylvania Conservancy.

JOHN QUIGLEY,  
*Secretary*

[Pa.B. Doc. No. 10-2202. Filed for public inspection November 19, 2010, 9:00 a.m.]

### Little Neshaminy Creek River Conservation Plan

The Department of Conservation and Natural Resources (Department), Bureau of Recreation and Conservation has approved the Little Neshaminy Creek River Conservation Plan (Plan) and is placing the Little Neshaminy Creek Watershed and all tributaries covered

in the Plan in Montgomery and Bucks Counties, on the Pennsylvania Rivers Conservation Registry (Registry).

The Heritage Conservancy submitted the Plan and other required information to gain Registry status.

After review of the Plan and other information, the Department has determined that the Pennsylvania Rivers Conservation Program (Program) requirements have been satisfied and places the following on the Registry:

1. The watershed area of the Little Neshaminy Creek (Montgomery and Bucks Counties) from the headwaters to its confluence with the main stem of Neshaminy Creek—43 square miles.
2. All tributary streams within the Little Neshaminy Creek Watershed.

This action becomes effective November 20, 2010. Projects identified in the Plan become eligible for implementation, development or acquisition grant funding through the Program.

A copy of the Final Plan is available for review at Heritage Conservancy, 85 Old Dublin Pike, Doylestown, PA 18901, (215) 345-7020, Ext. 100, www.heritageconservancy.org and Department of Conservation and Natural Resources, Rachel Carson State Office Building, 400 Market Street, 6th Floor, Harrisburg, PA 17101, (717) 783-2712.

Maps and supporting data are available by contacting the Heritage Conservancy.

JOHN QUIGLEY,  
*Secretary*

[Pa.B. Doc. No. 10-2203. Filed for public inspection November 19, 2010, 9:00 a.m.]

### Paxton Creek Rivers Conservation Plan

The Department of Conservation and Natural Resources (Department), Bureau of Recreation and Conservation has approved the Paxton Creek Rivers Conservation Plan (Plan) and is placing the Paxton Creek Watershed covered in the Plan in Dauphin County, on the Pennsylvania Rivers Conservation Registry (Registry).

The Paxton Creek Watershed and Education Association submitted the Plan and other required information to gain Registry status.

After review of the Plan and other information, the Department has determined that the Pennsylvania Rivers Conservation Program (Program) requirements have been satisfied and places the following on the Registry:

1. The watershed area of Paxton Creek (Dauphin County) from the headwaters to its confluence with the Susquehanna River—27.43 square miles.
2. All tributary streams within the Paxton Creek Watershed.

This action becomes effective November 20, 2010. Projects identified in the Plan become eligible for implementation, development or acquisition grant funding through the Program.

A copy of the Final Plan is available for review at The Paxton Creek Watershed and Education Association, P. O.

Box 61674, Harrisburg, PA 17106, www.paxtoncreek.org and Department of Conservation and Natural Resources, Rachel Carson State Office Building, 400 Market Street, 6th Floor, Harrisburg, PA 17101, (717) 783-2712.

Maps and supporting data are available by contacting The Paxton Creek Watershed and Education Association.

JOHN QUIGLEY,  
*Secretary*

[Pa.B. Doc. No. 10-2204. Filed for public inspection November 19, 2010, 9:00 a.m.]

### Poquessing Creek Watershed River Conservation Plan

The Department of Conservation and Natural Resources (Department), Bureau of Recreation and Conservation has approved the Poquessing Creek Watershed River Conservation Plan (Plan) and is placing the Poquessing Creek Watershed covered in the Plan in Bucks, Montgomery and Philadelphia Counties, on the Pennsylvania Rivers Conservation Registry (Registry).

The Philadelphia Water Department submitted the Plan and other required information to gain Registry status.

After review of the Plan and other information, the Department has determined that the Pennsylvania Rivers Conservation Program (Program) requirements have been satisfied and places the following on the Registry:

1. The watershed area of Poquessing Creek (Bucks, Montgomery and Philadelphia Counties) from the headwaters to its confluence with the Delaware River—22.0 square miles.

This action becomes effective November 20, 2010. Projects identified in the Plan become eligible for implementation, development or acquisition grant funding through the Program.

A copy of the Final Plan is available for review at The Philadelphia Water Department, The ARAMARK Tower, 1101 Market Street, Philadelphia, PA 19107-2994, (215) 499-3756 and Department of Conservation and Natural Resources, Rachel Carson State Office Building, 400 Market Street, 6th Floor, Harrisburg, PA 17101, (717) 783-2712.

Maps and supporting data are available by contacting The Philadelphia Water Department.

JOHN QUIGLEY,  
*Secretary*

[Pa.B. Doc. No. 10-2205. Filed for public inspection November 19, 2010, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

#### APPLICATIONS

### THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT APPLICATIONS FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a General Permit. The applications concern, but are not limited to, discharges regarding industrial, animal or sewage waste, discharges to groundwater, discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities or concentrated animal feeding operations (CAFO). This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Waste; Discharge into Groundwater
Section IV	NPDES	MS4 Individual Permit
Section V	NPDES	MS4 Permit Waiver
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

For NPDES renewal applications in Section I, the Department of Environmental Protection (Department) has made a tentative determination to reissue these permits for 5 years subject to effluent limitations and monitoring and reporting requirements in their current permits, with appropriate and necessary updated requirements to reflect new and changed regulations and other requirements.

For applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 Individual Permits and Individual Stormwater Construction Permits in Sections IV and VI, the Department, based upon preliminary reviews, has made tentative determinations of proposed effluent limitations and other terms and conditions for the permit applications. These determinations are published as proposed actions for comments prior to taking final actions.

Unless indicated otherwise, the United States Environmental Protection Agency (EPA) Region III Administrator has waived the right to review or object to proposed NPDES permit actions under the waiver provision in 40 CFR 123.24(d).

Persons wishing to comment on NPDES applications are invited to submit statements to the contact office noted before the application within 30 days from the date of this public notice. Persons wishing to comment on WQM permit applications are invited to submit statements to the office noted before the application within 15 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the applications. A comment submittal should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests for public hearings on applications. A public hearing may be held if the responsible office considers the public response significant. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. The Department will postpone its final determination until after a public hearing is held.

Persons with a disability who require an auxiliary aid, service, including TDD users, or other accommodations to seek additional information should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

### I. NPDES Renewal Applications

Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes Barre, PA 18711-0790.

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0065048 (Sewage)	Nicholson Borough WWTP S R 2017 Nicholson, PA 18846	Wyoming County Nicholson Township	Tunkhannock Creek (4-F)	Y
PA0070301 (Sewage)	SPG, Inc. (Whispering Hollow North MHP WWTP) Pa Route 248 Northampton, PA 18067	Northampton County Moore Township	Hokendauqua Creek (2-C) CWF & MF	Y

Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0081949 (SEW)	West Earl Sewer Authority 157 West Metzler Road Brownstown, PA 17508	Lancaster County / West Earl Township	Conestoga River / 7J	Y
PA0259802 (CAFO)	Wen-Crest Farms, LLC 549 Schaeffer Road Lebanon, PA 17042	Lebanon County / South Lebanon Township	Hammer Creek / 7J	Y
PA0248002 (CAFO)	Jobo Holstein Farms, LLC 200 Tall Oaks Road Gettysburg, PA 17325	Adams County / Mount Pleasant Township	White Run & Swift Run / 7F	Y
PA0020591 (Sew)	Mount Gretna Authority 101 Chautauqua Drive PO Box 322 Mount Gretna, PA 17064	Lebanon County South Londonderry Township	Conewago Creek / 7G	Y
PA0070378 (Sew)	Blue Mountain Academy 3363 Mountain Road Hamburg, PA 19526-8745	Berks County Tilden Township	Mill Creek / 3-B	Y

### II. Applications for New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Applications

Southeast Region: Water Management Program Manager, 2 East Main Street, Norristown, PA 19401

**PA0021181**, Sewage, SIC 4952, **Bucks County Water & Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976.

This facility is located in Warrington Township, **Bucks County**.

Description of Proposed Activity: Renewal of a NPDES permit to discharge treated sewage effluent from Green Street STP.

The receiving stream, an unnamed tributary to Neshaminy Creek, is in the State Water Plan watershed 2F and is classified for: warm water fishes, migratory fishes, aquatic life, water supply, and recreation. The nearest downstream public water supply intake for Aqua PA SE Division is located on Neshaminy Creek.

The proposed effluent limits for Outfalls 001 and 002\* are based on a design flow of 1.2 mgd:

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub> (05/01-10/31)	15	23		30
CBOD <sub>5</sub> (11/01-04/30)	25	40		50
Total Suspended Solids	30	45		60
NH <sub>3</sub> -N (05/01-10/31)	1.5			3.0
NH <sub>3</sub> -N (11-01-04/30)	4.5			9.0
Fecal Coliform (col/100 ml)	200			1,000**
pH (Std. Units)	6.0 min.			9.0
Dissolved Oxygen	5.0 min.			
Total Kjeldahl Nitrogen	Monitor			Monitor
(NO <sub>2</sub> +NO <sub>3</sub> )-N: (07/01-10/31)	9.5			19.0
(11/01-06/30)	Monitor			Monitor
Phosphorus as P: (Effective date thru Year 1): (04/01-10/31)	1.2			2.4
(11/01-03/31)	Monitor			Monitor
(Year 2 thru Expiration): (04/01-10/31)	0.7			1.4
(11/01-03/31)	1.4			2.8
Copper	Monitor			Monitor

\* A maximum of 0.2 mgd of permitted flow can be diverted through Outfall 002 for irrigation.

\*\* Not to exceed 1,000 col/100 ml in greater than ten percent of the samples.

The proposed effluent limits for stormwater Outfalls 003 and 004 are based on the design flow of an average stormwater event:

<i>Parameters</i>	<i>Average Annual (mg/l)</i>	<i>Average Semi-Annual (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	Monitor		Monitor	
COD	Monitor		Monitor	
Oil and Grease	Monitor		Monitor	
pH (Std. Units)	Monitor		Monitor	
Total Suspended Solids	Monitor		Monitor	
Total Kjeldahl Nitrogen	Monitor		Monitor	
Total Phosphorus	Monitor		Monitor	
Iron (dissolved)	Monitor		Monitor	
Fecal Coliform (col/100 ml)	Monitor		Monitor	

In addition to the effluent limits, the permit contains the following major special conditions:

1. Notification of Designation of Responsible Operator
2. Definition of Average Weekly
3. Remedial Measures if Public Nuisance
4. No Stormwater to Sanitary Sewers
5. Necessary Easements
6. Small Stream Discharge
7. Change in Ownership
8. Proper Sludge Handling
9. TMDL Data Submission
10. Operator Training
11. Whole Effluent Toxicity Testing with Renewal
12. Instantaneous Maximum Limitations
13. Operations and Maintenance Plan
14. Laboratory Certification
15. Fecal Coliform Reporting
16. Stormwater Requirements

EPA Waiver is not in effect.

Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.

**Application No. PA 0024228**, Industrial Waste, SIC Code 2015, **BC Natural Chicken, LLC**, PO Box 70, Fredericksburg, Pennsylvania 17026.

This facility is located in Bethel Township, **Lebanon County**.

Description of activity: The application is for renewal of an NPDES permit for an existing discharge of treated industrial waste.

The receiving stream, Beach Run, is in Watershed 7-D, and classified for warm water fishery, water supply, recreation, and fish consumption. The nearest downstream public water supply intake is the Philadelphia Water Company located on the Swatara Creek, approximately 28 miles downstream. The discharge is not expected to affect the water supply.

The proposed interim effluent limits for Outfall 001 based on a design flow of 0.60 MGD are:

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	Report	Report	16	26	40
Total Suspended Solids	Report	Report	20	30	50
Ammonia Nitrogen as N					
(5/1 to 10/31)	7.5	15	1.5	3.0	3.75
(11/1 to 4/30)	22.5	45	4.0	8.0	10
Total Residual Chlorine	—	—	0.1	—	0.2
Total Phosphorus	10	20	2.0	4.0	5.0
Total Nitrogen	—	—	103	147	—
Oil and Grease	Report	Report	8.0	14	20
Dissolved Oxygen	Minimum of 5.0 at all times.				
pH	Within the range of 6 to 9 standard units at all time.				
Fecal Coliform	200/100 ml as a geometric average value.				
(5/1 to 9/30)	400/100 ml as geometric average.				
(10/1 to 4/30)					

**Chesapeake Bay/Elizabeth Run TMDL Requirements**

Parameters	Mass (lbs)	
	Monthly	Annual
Total Suspended Solids	Report	Report
Total Phosphorus	Report	Report
TKN	Report	—
NO <sub>2</sub> +NO <sub>3</sub> -N	Report	—
Total Nitrogen	Report	Report
NH <sub>3</sub> -N	Report	Report

The proposed final effluent limits for Outfall 001 based on a design flow of 0.60 MGD are:

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	50	100	10	20	25
Total Suspended Solids	Report	Report	10	20	25
Ammonia Nitrogen as N					
(5/1 to 10/31)	7.5	15	1.5	3	3.75
(11/1 to 4/30)	20	40	4.0	8	11.25
Total Residual Chlorine	—	—	0.019	—	0.06
Total Phosphorus	2.5	5	0.5	1.0	1.25
Total Nitrogen	—	—	103	147	—
Oil and Grease	Report	Report	8	14	20
Dissolved Oxygen	Minimum of 5.0 at all times.				
pH	Within the range of 6 to 9 standard units at all time.				
Fecal Coliform	200/100 ml as a geometric average value.				
(5/1 to 9/30)	400/100 ml as geometric average.				
(10/1 to 4/30)					



## Chesapeake Bay/Elizabeth Run TMDL Requirements

Parameters	Mass (lbs)	
	Monthly	Annual
Total Suspended Solids	Report	45,800
Total Phosphorus	Report	766
TKN	Report	—
NO <sub>2</sub> +NO <sub>3</sub> -N	Report	—
Total Nitrogen	Report	18,982
NH <sub>3</sub> -N	Report	Report

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA waiver is not in effect.

**PA0008427**, Industrial Waste, SIC Code 4961, **NRG Energy Center Harrisburg LLC.**, 100 North 10th Street, Harrisburg, PA 17101-3357. Facility Name: NRG Energy Center Harrisburg, LLC. This existing facility is located in Harrisburg City, **Dauphin County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Industrial Waste.

The receiving stream(s), Paxton Creek, is located in State Water Plan watershed 7-C and is classified for Warm Water Fishes, Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.084 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	6.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
Temperature (° F)	XXX	XXX	XXX	XXX	110	XXX
Total Suspended Solids	21	42	XXX	30	60	75
Oil and Grease	XXX	XXX	XXX	15	30	30
Total Copper	0.032	0.0645	XXX	0.047	0.094	0.12
Total Iron	2.3	4.6	XXX	3.4	6.8	8.5

In addition, the permit contains the following major special conditions:

\* Chemical Additives Usage Rates

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is in effect.

**PA0088323**, Industrial Waste, SIC Code 4911, **Ontelaunee Power Operatings Co. LLC**, 5115 Pottsville Pike, Reading, PA 19605-9729. Facility Name: Ontelaunee Energy Center. This existing facility is located in Ontelaunee Township, **Berks County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Industrial Waste.

The receiving stream(s), Schuylkill River, is located in State Water Plan watershed 3-B and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.35 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.2	XXX	0.5
Temperature (° F)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	Report	Report	XXX	30	60	75
Total Dissolved Solids	Report	Report	XXX	2,400	3,000	3,000
Oil and Grease	XXX	XXX	XXX	15	30	30
Total Chromium	Report	Report	XXX	0.20	0.40	0.50
Total Zinc	Report	Report	XXX	1.0	2.0	2.5
Total PCBs	XXX	XXX	XXX	XXX	Report	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is not in effect.

**PA0022535**, Sewage, SIC Code 4952, **Millersburg Borough Area Authority Dauphin County**, 101 West Street, Millersburg, PA 17061-1363. Facility Name: Millersburg STP. This existing facility is located in Millersburg Borough, **Dauphin County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Sewage.

The receiving stream(s), Susquehanna River, is located in State Water Plan watershed 6-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	Instant. Maximum
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>	209	Wkly Avg	XXX	25	40	50
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	250	Wkly Avg	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	XXX
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2000 Geo Mean	XXX	XXX

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 001.

Parameters	Mass (lbs)			Concentration (mg/l)	
	Monthly	Annual	Minimum	Monthly Average	Maximum
Ammonia—N	Report	Report	XXX	Report	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX
Net Total Nitrogen (Interim)	Report	Report	XXX	XXX	XXX
Net Total Nitrogen (Final)	Report	18,265	XXX	XXX	XXX
Net Total Phosphorus (Interim)	Report	Report	XXX	XXX	XXX
Net Total Phosphorus (Final)	Report	2,435	XXX	XXX	XXX

\* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Trading of Nutrients and Sediment Reduction Credits Policy and Guidelines (Document #392-0900-001, December 30, 2006). The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is not in effect.

*Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**PA0263770**, Sewage, SIC Code 8800, **Ann Kozen**, 124 Fairway Circle, Townsend, TN 37882. Facility Name: Ann Kozen SFTF, 17973 Townville Road, Centerville, PA 16404. This facility will be located in Athens Township, **Crawford County**.

Description of Existing Activity: The application is for a new NPDES permit for a discharge of treated Sewage from a single residence.

The receiving stream, an Unnamed Tributary to Muddy Creek, is located in State Water Plan watershed 16-A and is classified for High-Quality Cold Water Fishes, aquatic life, water supply, and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6	XXX	XXX	9
CBOD <sub>5</sub>	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	XXX

In addition, the permit contains the following major special conditions:

- Annual Reporting Requirements (AMRs)
- Ultraviolet (UV) Disinfection Equipment
- Septic Tank Cleaning

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6340.

The EPA Waiver is in effect.

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### III. WQM Industrial Waste and Sewerage Applications under The Clean Streams Law

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*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.*

**WQM Permit No. 3801403 Amendment 10-1**, Sewerage, **Mount Gretna Authority**, 101 Chautauqua Drive, PO Box 322, Mount Gretna, PA 17064.

This proposed facility is located in South Londonderry Township, **Lebanon County**.

Description of Proposed Action/Activity: Seeking approval to incorporate a concrete mixing tank and mechanical mixer into the chemical precipitation process for reduction of phosphorus in the plant effluent.

**WQM Permit No. 3610405**, Sewerage, **City of Lancaster**, 120 North Duke Street, PO Box 1599, Lancaster, PA 17608-1599.

This proposed facility is located in Lancaster City, **Lancaster County**.

Description of Proposed Action/Activity: Seeking approval for the replacement of the Stevens Avenue Sewage Pumping Station. The new wet well / dry well station will be constructed with an increased capacity of 11.0 mgd to convey a higher percentage of combine sewer flows to the City's Advanced Wastewater Treatment Plant.

**WQM Permit No. 0791402 10-1**, Sewerage, **Hollidaysburg Sewer Authority**, 401 Blair Street, Hollidaysburg, PA 16648.

This proposed facility is located in Frankstown Township, **Blair County**.

Description of Proposed Action/Activity: Seeking approval for the upgrade of the wastewater treatment plant including to achieve improved TN removal; upgrade the existing sludge aerobic digester along with sludge thickening and sludge dewatering facilities; dismantle and remove the existing steel tankage.

*Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**WQM Permit No. 0210201**, Industrial Waste, **United States Steel Corporation**, 400 State Street, Clairton, PA 15025-1855

This proposed facility is located in the City of Clairton, **Allegheny County**

Description of Proposed Action/Activity: Application for the construction and operation of a treatment plant.

**WQM Permit No. 2600403-A1**, Sewerage, **Dunbar Township Municipal Authority**, PO Box 815, Connellsville, PA 15425

This existing facility is located in Dunbar Township, **Fayette County**

Description of Proposed Action/Activity: Application for permit amendment.

**WQM Permit No. 6586407-A2**, Sewerage, **Hempfield Township Municipal Authority**, 1146 Woodward Drive, Greensburg, PA 15601

This existing facility is located in Hempfield Township, **Westmoreland County**

Description of Proposed Action/Activity: Application for permit amendment.

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### IV. NPDES Applications for Stormwater Discharges from MS4

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#### V. Applications for NPDES Waiver Stormwater Discharges from MS4

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#### VI. NPDES Individual Permit Applications for Discharges of Stormwater Associated with Construction Activities

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*Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes Barre, PA 18711-0790*

*Lackawanna Conservation District: 1300 Old Plant Rd., Mayfield, PA 18433*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024010004(1)	Patrick J. McMackin PPL Electric Utilities Corp Two North Ninth Street Allentown, PA 18101	Lackawanna	Ransom Twp Newton Twp S. Abington Twp. Scott Twp Jefferson Twp City of Scranton Dickson City Boro Blakely Boro Archbald Boro	UNT to Susquehanna River (CWF, MF) Gardner Creek Basin (CWF, MF) St. John's Creek Basin (CWF, MF) Keyser Creek Basin (CWF, MF) Leggett's Creek Basin (TSF, MF) UNT to Lackawanna River (CWF, MF) Hull Creek Basin (CWF, MF) Wildcat Creek Basin (CWF, MF) Lackawanna River Main Stem (HQ-CWF, MF) White Oak Run Basin (CWF, MF) Laurel Run Basin (CWF, MF) Middle Creek Basin (HQ-CWF, MF)

*Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

*Columbia County Conservation District: 702 Sawmill Road, Suite 204, Bloomsburg, PA 17815, (570) 784-1310, X 102*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041910002	Dennis Reedy Integrity Land Development 197 Point Township Dr. Northumberland, PA 17857	Columbia	Hemlock Township	Hemlock Creek CWF Susquehanna River CWF

*Lycoming County Conservation District: 542 County Farm Road Suite 202, Montoursville, PA 17754, (570) 433-3003*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI044110003	Neil Scharder 387 Scharder Ln Lock Haven, PA 17745	Lycoming	McHenry Township	First Big Fork Trout Run HQ-CWF

*Southwest Region: Watershed Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Fayette County Conservation District, 10 Nickman Plaza, Lemont Furnace, PA 15456 (724-438-4497).*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI052607002-2	Atlantic Wind LLC (Subsidiary of Iberdrola Renewables) 201 King of Prussia Road Suite 500 Radnor, PA 19087	Fayette	Georges, Springhill and Wharton Townships	Big Sandy Creek (HQ-CWF), Laurel Run (HQ-CWF), Mountain Creek (CWF), Quebec Run (EV and HQ-CWF), Rubles Run (CWF)

Greene County Conservation District, 93 East High Street, Room 215, Waynesburg, PA 15370 (724-852-5278).

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI053010001	Allegheny Power DBA West Penn Power Company 800 Cabin Hill Road Greensburg, PA 15601	Greene	Whiteley & Franklin Townships	Whiteley Cteek (WWF), UNT to Whiteley Creek (WWF), South Fork Ten Mile (HQ-WWF), Smith Creek (WWF)

Northwest Region: Watershed Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481

Butler County Conservation District, 122 McCure Drive, Butler PA 16001-6501

Erie County Conservation District, 1927 Wager Road, Erie PA 16509

NPDES Application No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI 0610 10 005	Mark Bozzone Woodberry Center LP 103 Brilliant Avenue Pittsburgh Pa 15215	Butler	Buffalo Township	Little Buffalo Creek HQ, TSF
PAI 0625 10 002	PA DEP NWRO 230 Chestnut Street Meadville PA 16335	Erie	Millcreek Township	West Branch Cascade Creek WWF, MF

#### VII. List of NOIs for NPDES and/or Other General Permit Types

PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

### STATE CONSERVATION COMMISSION

#### NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge actions, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at (717) 787-3483 for more information.

#### NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET

Agricultural Operation Name and Address	County	Total Acres	Animal Equivalent Units	Animal Type	Special Protection Waters (HQ or EV or NA)	Renewal/New
Clifford Zimmerman 2993 Mill Road Elizabethtown, PA 17022	Dauphin	170.2	375.04	Broilers	NA	Renewal

**PUBLIC WATER SUPPLY (PWS) PERMITS**

Under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17), the following parties have applied for PWS permits to construct or substantially modify public water systems.

Persons wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30 days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

Following the comment period, the Department will make a final determination regarding the proposed permit. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The permit application and related documents are on file at the office listed before the application and available for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

Persons with a disability that require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

**SAFE DRINKING WATER**

**Applications Received under the Pennsylvania Safe Drinking Water Act**

*Southcentral Region: Water Supply Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110*

**Permit No. 5010507**, Public Water Supply.

Applicant **Arbor Manor Apartments**  
 Municipality Watts Township  
 County **Perry**  
 Responsible Official Eugene E. Wilson, Partner  
 194 Richwine Road  
 Unit 4  
 Shermans Dale, PA 17090  
 Type of Facility Public Water Supply  
 Consulting Engineer Max E Stoner, P.E.  
 Glace Associates, Inc.  
 3705 Trindle Rd  
 Camp Hill, PA 17011  
 Application Received: 10/18/2010  
 Description of Action Sodium hypochlorite and chlorine contact pipe installation.

**Permit No. 3610542**, Public Water Supply.

Applicant **Bird in Hand Bake Shop**  
 Municipality Upper Leacock Township

County **Lancaster**  
 Responsible Official Erwin J. Miller, Owner  
 542 Gibbons Road  
 Bird in Hand, PA 17505  
 Type of Facility Public Water Supply  
 Consulting Engineer Charles A Kehew II, P.E.  
 James A Holley & Associates Inc  
 18 South George Street  
 York, PA 17401  
 Application Received: 11/1/2010  
 Description of Action Installation of nitrate treatment

**MINOR AMENDMENT**

**Applications Received under the Pennsylvania Safe Drinking Water Act**

*Northeast Region: Water Supply Management Program Manager, 2 Public Square, Wilkes Barre, PA 18711-0790*

**Application No. 4510507MA, Minor Amendment.**

Applicant **Aqua Pennsylvania Hamilton Water System, Inc.**  
 [Township or Borough] Ross Township, **Monroe County**  
 Responsible Official Patrick Burke, Regional  
 Manager NE and Central  
 Operations  
 1 Aqua Way  
 White Haven, Pa. 18611  
 (570) 443-7099  
 Type of Facility Public Water Supply  
 Consulting Engineer CET Engineering Associates  
 1240 N. Mountain Road  
 Harrisburg, Pa. 17112  
 Attn: William LaDieu  
 (717) 541-0622

Application Received Date 09/28/2010  
 Description of Action This project provides for the construction of 36 feet of 3 feet diameter ductile iron main to provide additional chlorination contact time for 4-Log disinfection requirements before the entry point.

**Application No. 3910512MA, Minor Amendment**

Applicant **Whitehall Township Authority**  
 [Township or Borough] Whitehall Township  
**Lehigh County**  
 Responsible Official Douglas K. Bowen, Manager  
 Whitehall Township Authority  
 1901 Schadt Avenue  
 Whitehall, PA 18052-3728  
 Type of Facility Community Water System  
 Consulting Engineer Timothy A. Miller, PE  
 Keystone Consulting Engineers,  
 Inc.  
 6235 Hamilton Boulevard  
 Wescosville, PA 18106  
 610-395-0971  
 Application Received Date July 7, 2010

Description of Action      Application for modification of the inlet for the Schadt Avenue storage tank to provide increased circulation efficiency.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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### Acknowledgment of Notices of Intent to Remediate Submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907)

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Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.302—6026.305) require the Department to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. A person intending to use the background standard, Statewide health standard, the site-specific standard or intend to remediate a site as a special industrial area shall file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of cleanup standards or receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the following site, proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified as follows. During this comment period, the municipality may request that the person identified as the remediator of the site develop and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

For further information concerning the content of a Notice of Intent to Remediate, contact the environmental cleanup program manager in the Department regional office listed before the notice. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following Notices of Intent to Remediate:

*Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401*

**Lattari Residence**, City of Philadelphia, **Philadelphia County**. Charles Burger, Mountain Research LLC, 825 25th Street, Altoona, PA 16601 Karen Washko, Longacre Appraisal Adjustments, 5339 Woodland Avenue, PA 19143 on behalf of Ms. Lattari, 2623 South Street, Philadelphia, PA 19143 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The future use of the site will remain the same.

**Ardmore Plaza Shop Center**, Lower Merion Township, **Montgomery County**. Darryl Borrelli, Manko, Gold, Katcher & Fox, LLP, 401 City Avenue, Suite 500, Bala Cynwyd, PA 19004, Bryan Sladky, Silar Services, Inc., 1851 French Creek Road, Phoenixville, PA 19460 on behalf of Phillip Hughes, Jr. CPA, Fox Park Corporation, 18 Sentry Park West, Suite 300, Blue Bell, PA 19422 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of unleaded gasoline. The future use of the site will remain non-residential for continued use as a shopping center. A summary of the Notice of Intent to Remediate was reported to have been published in reported *The Philadelphia Daily News* on October 15, 2010.

**Rite Aid Drug Store**, City of Philadelphia, **Philadelphia County**. Andrew Trzcinski, PT Consultants, Inc, 629 Creek Road, Bellmawr, NJ 08031 on behalf of Mark McOrmond, Osborne Associates, 1200 Narraticon Parkway, Deptford, NJ 08096 has submitted a Notice of Intent to Remediate. Groundwater and soil has been impacted with the release of leaded gasoline and mtbe. The current use is commercial—a Rite Aid Drug Store—intended future use to stay the same.

**Mac & Sam Inc**, Clifton Height Borough, **Delaware County**. Richard Werner, Environmental Consulting, Inc, 500 West Washington Street, Suite 375, Norristown, PA 19401 on behalf of James Salmon, Clifton Heights Community and Economic, P. O. Box 83, Clifton Heights, PA 19018 has submitted a Notice of Intent to Remediate. Groundwater at the site has been impacted with the release of leaded gasoline. The proposed future use of the subject property is expected to be for commercial use.

**Horwitz Residence**, Whitpain Township, **Montgomery County**. Richard D. Trimpi, Trimpi Associates Inc, 1635 Plains Road, Pennsburg, PA 18073, Deb Alesi, State Farm Insurance Company, P. O. Box 13, Concordville, PA 19331 on behalf of Seth Horwitz, 645 Chatham Lane, Blue, PA 19422 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. A summary of the Notice of Intent to Remediate was to have been published in *The Ambler Gazette* on July 28, 2010.

**Preserve Residential Development Site (lot 3 & 4)**, New Hanover Township, **Montgomery County**. Michael L. Beardsley, BL Companies, 213 Market Street, 6th floor, Harrisburg, PA 17101 on behalf of David W. Waltz, First Cornerstone Bank, 1004 W. Ninth Avenue, King of Prussia, PA 19406 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. A summary of the Notice of Intent to Remediate was reported to have been published in *The Mercury* on September 30, 2010.



**US Steel Fairless Works/ABC 7.5 Acre KIPC**, Falls Township, **Bucks County**. Colleen Costello, Langan Engineering and Environmental Services, Inc., 2700 Kelly Road, Suite 200, Washington, PA 18976, Judson W. Herr, Langan Engineering and Environmental Services, Inc., 2700 Kelly Road, Suite 200, Washington, PA 18976 on behalf of Kathleen Mayher, United States Steel Corporation, 600 Grant Street, Pittsburg, PA 15219 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of chlorinated solvents. The future use of the site will remain the same.

**US Steel Fairless Works Area 5.71 Acre Property**, Falls Township, **Bucks County**. Colleen Costello, Langan Engineering and Environmental Services, Inc., 2700 Kelly Road, Suite 200, Washington, PA 18976, Judson W. Herr, Langan Engineering and Environmental Services, Inc., 2700 Kelly Road, Suite 200, Washington, PA 18976 on behalf of Kathleen Mayher, United States Steel Corporation, 600 Grant Street, Pittsburg, PA 15219 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of PCB. The future use of the site will remain the same.

*Northeast Region: Environmental Cleanup Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**Easton Area School District Education Center**, 1801 Bushkill Drive, Forks Township, **Northampton County**. Thomas J. Martinelli, JMT Environmental Technologies, Inc., P. O. Box 22044, Lehigh Valley, PA 18002-2044 has submitted a Notice of Intent to Remediate (on behalf of his client, Easton Area School District, 1801 Bushkill Drive, Easton, PA 18040), concerning the remediation of soil found to have been impacted by No. 2 fuel oil as a result of a release from a leaking underground storage tank. The applicant proposes to remediate the site to meet the Statewide Health Standard for soil. The future use of the property is as a school district office. A summary of the Notice of Intent to Remediate was published in *The Express Times* on May 11, 2010. A Final Report was simultaneously submitted.

*Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701*

**Aubrey Alexander Toyota**. Monroe Township, **Snyder County**. Molesevich Environmental, LLC, PO Box 654, Lewisburg, PA 17837 on behalf of Blaise Alexander Family Dealerships, 1324 North Susquehanna Trail, Selinsgrove, PA 17870 has submitted a Notice of Intent to Remediate soil and groundwater contaminated with petroleum. The applicant proposes to remediate the site to meet the Site-specific Standard. The future use of the property will be for an automotive and truck sales and service facility.

**Shipley Energy-Beaver Springs**, Spring Township, **Snyder County**. Mountain Resources, LLC, 825 25th St., Altoona, PA 16601 on behalf of Dave Gruno, Shipley Energy, State Route 0235, Beaver Springs, PA 17812 has submitted a Notice of Intent to Remediate soil and groundwater contaminated with diesel fuel and gasoline. The applicant proposes to remediate the site to meet the Statewide Health Standard. The intended future use of the site will continue as a public access roadway and private wood property.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

#### NEW SOURCES AND MODIFICATIONS

The Department has developed an "integrated" plan approval, State Operating Permit and Title V Operating

Permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the public. This approach allows the owner or operator of a facility to complete and submit permitting documents relevant to its application one time, affords an opportunity for public input and provides for sequential issuance of the necessary permits.

The Department received applications for Plan Approvals or Operating Permits from the following facilities.

Copies of these applications, subsequently prepared draft permits, review summaries and other support materials are available for review in the regional office listed before the applications. Persons interested in reviewing the application files should contact the appropriate regional office to schedule appointments.

Persons wishing to receive a copy of a proposed Plan Approval or Operating Permit shall indicate interests to the Department regional office within 30 days of the date of this notice and shall file protests or comments on a proposed Plan Approval or Operating Permit within 30 days of the Department providing a copy of the proposed documents to persons or within 30 days of its publication in the *Pennsylvania Bulletin*, whichever comes first. Interested persons may also request that hearings be held concerning a proposed Plan Approval or Operating Permit. A comment or protest filed with the Department regional office shall include a concise statement of the objections to the issuance of the Plan Approval or Operating Permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior the date of the hearing.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the regional office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the source is constructed and operating in compliance with applicable requirements in 25 Pa. Code Chapters 121-143, the Federal Clean Air Act (42 U.S.C.A. §§ 7401-7671q) and regulations adopted under the Federal Clean Air Act.

### PLAN APPROVALS

**Plan Approval Applications Received under the Air Pollution Control Act (35 P. S. §§ 4001-4015) and 25 Pa. Code Chapter 127, Subchapter B that may have special public interest. These applications are in review and no decision on disposition has been reached.**

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes Barre, PA 18711-0790*

*Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507*

**54-308-027: Sapa Extrusions, Inc.** (53 Pottsville Street, Cressona, PA 17929) for installation of a new holding furnace and a new inline flux degassing unit at their site in Cressona Borough, **Schuylkill County**.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: M. Gorog & B. Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226*



**04-00083B: Beaver Valley Alloy Foundry Co.** (1899 Brodhead Road, Monaca, PA 15061) for installation of dust collector at Beaver Valley Alloy Foundry in Monaca Borough, **Beaver County**.

**Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.**

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**08-00010D: Global Tungsten & Powders, Corp.** (Hawes Street, Towanda, PA 18848-0504) for the proposed construction of two (2) new plasma spray systems used to coat fuel cell interconnectors (Source ID P229) and a grit blaster used to prepare the interconnector surfaces prior to coating (Source ID P230) for their facility in North Towanda Township, **Bradford County**. This is a state only facility.

The Department's review of the information contained in the application submitted by GTP indicates that the spray system controlled by the proposed fabric collector and the blaster controlled by the proposed cyclone and fabric collector will comply with applicable air quality requirements pertaining to air contamination sources and the emission of air contaminants, including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction.

The emissions from the proposed spray system will not exceed 0.005 tons of particulate matter per year and the emissions from the proposed blaster will not exceed 0.13 tons of particulate matter per year. The following is a summary of the types of conditions the Department intends to place in the plan approval to ensure compliance with applicable regulatory requirements including the best available technology requirements of 25 Pa. Code Sections 127.1 and 127.12.

Work practice requirements to install and operate the sources and control devices in accordance with manufacturer's recommendations and good air pollution control practices.

Monitoring and Recordkeeping conditions to verify compliance with the applicable requirements and good air pollution control practices.

A copy of the plan approval application and the Department's review is available for public review between 8 a.m. and 4 p.m. at the Department's Northcentral Regional Office. Appointments for scheduling a review may be made by calling the Department at 570-327-3693. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Environmental Program Manager, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3648.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: B. Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226*

**11-00527: Phoenix Services, LLC** (1717 West Doe Run Road, Unionville, PA 19375) for installation and initial temporary operation of a slag processing and handling facility in Franklin Borough, **Cambria County**.

In accordance with 25 Pa. Code §§ 127.44—46, the Department of Environmental Protection (DEP) intends to issue Air Quality Plan Approval: PA-11-00527 to allow the installation and initial temporary operation of a slag processing and handling facility to be located in Franklin Borough, Cambria County. All slag to be processed is located on site. Air emission sources will include front end loaders, conveyors, screens, a crusher, stockpiles, and truck load out.

Potential emissions from the facility are estimated to be 9.45 tons of particulate matter (PM), 3.45 tons of particulate matter less than 10 microns in diameter (PM10), and 0.11 tons of particulate matter less than 2.5 microns in diameter (PM2.5) per year. Facility throughput will be limited to 500,000 tons of slag processed per year. Best available technology (BAT) for the proposed sources is the installation and use of water sprays on processing equipment, pressurized water truck and road sweeper for stockpile and road dust control, tarping of loaded trucks, and proper maintenance and operation. BAT also includes the incorporation of fugitive emission limits, restriction of open burning, monitoring and recordkeeping, and work practice standards from Title 25 of the Pennsylvania Code. Plan Approval has been conditioned to ensure compliance with all applicable rules. Once compliance with the Plan Approval is demonstrated, the applicant will subsequently apply for a State Only Operating Permit in accordance with Pa. Code Title 25 Subchapter F.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the Plan Approval may submit the information to Alan Binder, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222. Each written comment must contain the following:

Name, address and telephone number of the person submitting the comments.

Identification of the proposed Plan Approval (PA-11-00527).

Concise statements regarding the relevancy of the information or objections to issuance of the Plan Approval.

All comments must be received prior to the close of business 30 days after the date of this publication.

For additional information you may contact Alan Binder at 412-442-4168.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Mark Gorog, New Source Review Chief—Telephone: 814-332-6940*

**20-302A: Farley's Industrial Services** (818 West Spring Street, Titusville, PA 16354) for the installation of two (2) solvent recovery dryers at their facility in the City of Titusville, **Crawford County**.

Pursuant to 25 Pa. Code Sections 127.44(b) and 127.424(b), the Pennsylvania Department of Environmental Protection (DEP) intends to issue Plan Approval

20-302A to Farley's Industrial Services for the installation of two (2) solvent recovery dryers at their facility in the City of Titusville, Crawford County. The Plan Approval will subsequently be incorporated into the facility's Operating Permit through an administrative amendment in accordance with 25 Pa. Code Section 127.450.

Plan Approval No. 20-302A is for the installation of two (2) solvent recovery dryers, which will allow the facility to launder a total of 600 tons per year of print towels. Based on the information provided by the applicant and DEP's own analysis, the facility, including all existing sources, will have the potential to emit approximately 60.24 tons of particulate matter, all of which will be particulate matter less than 10 microns (PM-10), and 0.48 ton of which will be particulate matter less than 2.5 microns (PM-2.5), 49.00 tons of volatile organic compounds (VOC), 6.34 tons of nitrogen oxides, 5.32 tons of carbon monoxide, 0.04 ton of sulfur oxides, and 8.34 tons of total Hazardous Air Pollutants (HAP) per year.

The Plan Approval will contain additional monitoring, recordkeeping and work practice requirements designed to keep the facility operating within all applicable air quality requirements. Copies of the application, DEP's analysis, and other documents used in the evaluation are available for public inspection between the hours of 8 a.m. and 4 p.m. weekdays at the address shown below. To make an appointment, contact Records Management at 814-332-6340.

Anyone wishing to provide DEP with additional information they believe should be considered may submit the information to the address shown below. Comments must be received by the Department within 30 days of the last day of publication. Written comments should include the following:

1. Name, address, and telephone number of the person submitting comments.
2. Identification of the proposed Plan Approval; No. 20-302A.
3. Concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted on the comments received during the public comment period. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to John Guth, Regional Air Quality Manager, Department of Environmental Protection, Northwest Regional Office, 230 Chestnut St., Meadville, PA 16335, 814-332-6940.

#### OPERATING PERMITS

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#### Intent to Issue Title V Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.

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*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**17-00001: RRI Energy Mid-Atlantic Power Holdings, LLC** (121 Champion Way, Canonsburg, PA 15317) for renewal of their Title V Operating Permit for their facility in Bradford Township, **Clearfield County**. The facility is currently operating under amended Title V Operating Permit 17-00001 issued May 13, 2005. The facility's main sources include four (4), coal-fired electricity generating units, three (3) diesel-fired start-up engines, and fly-ash disposal area. The facility has the potential to emit major quantities of carbon monoxide, nitrogen oxides, sulfur oxides, particulate matter and hazardous air pollutant emissions. The facility has the potential to emit volatile organic compound emissions less than the major emissions thresholds. The proposed Title V operating permit for renewal has incorporated the CAM provisions applicable to the four (4) EGUs for monitoring of the performance of the electrostatic precipitators that control particulate matter emissions. The CAM conditions included in the proposed Title V operating permit require opacity monitoring using continuous systems to monitor and record the opacity which indicates compliance within an appropriate opacity range that was determined in the submitted CAM plan. Appropriate opacity ranges were determined by data obtained from testing and an analysis of the data using linear regression techniques to determine opacity levels which reasonably assure compliance with the particulate matter emissions limitation equal to 0.1 lb/MMBtu which is applicable to each EGU. The Maximum Achievable Control Technology (MACT) Standard review was performed during the renewal Title V operating permit review. As a result of this review, the renewal Title V operating permit contains appropriate MACT standards applicable to sources at the Shawville Plant. The proposed Title V operating permit contains applicable monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

**53-00006: Dominion Transmission, Inc.** (445 West Main Street, Clarksburg, WV 26301) for renewal of their Title V Operating Permit for their Ellisburg facility in Genesee Township, **Potter County**. The facility's sources include eleven (11) natural gas-fired heaters, eight (8) natural gas-fired gas transmission engines, six (6) natural gas-fired line heaters, two (2) natural gas-fired boilers, one (1) diesel-fired emergency generator, one (1) natural gas-fired air compressor, one (1) parts washer and several fugitive volatile organic compound (VOC) emission sources, which have the potential to emit major quantities of nitrogen oxides (NO<sub>x</sub>), carbon monoxide (CO), volatile hazardous air pollutants (VHAPs) and VOCs. The facility has the potential to emit sulfur oxides (SO<sub>x</sub>) and particulate matter (PM/PM<sub>10</sub>) below the major emission thresholds. The proposed Title V operating permit renewal contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6940*

**16-00132: Clarion Boards, Inc.—Clarion Plant** (P. O. Box 340, 143 Fiberboard Road, Shippensburg, PA 16254-0340) for a Title V Operating Permit to operate a Reconstituted Wood Products manufacturing facility in Paint Township, **Clarion County**.

**Intent to Issue Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 717-949-7935*

**38-03002: Plains LPG Services, L.P.** (435 Route 501 South, Schaefferstown, PA 17088) for operation of a propane terminal in Heidelberg Township, **Lebanon County**. This is a renewal of the natural minor operating permit issued in 2005.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**18-00027: Belles Springs Structures, LLC** (PO Box 205, Mill Hall, PA 17751-0205) for issuance of a State-only (Synthetic Minor) operating permit for operation of its facility located in Lamar Township, **Clinton County**. The facility incorporates two propane-fired combustion units with a combined maximum heat input rating of 0.076 MMBtu/hr; one diesel-fired engine rated 448 bhp authorized under GP9-18-02; one wooden-structure surface coating operation authorized under Plan Approval 18-318-014; and one woodworking operation consisting of 3 table saws, four chop saws, and a grinder all controlled by a fabric collector exempted from plan approval via RFD. The facility has the potential to emit up to 3.54 tons of PM/PM10, 3.63 tons of HAPs, 1.84 tons of SOx, 13.68 tons of NOx, 11.55 tons of VOCs, and 3.98 tons of CO per year. The facility is a state only facility. All conditions currently contained in Plan Approval 18-318-014, all applicable conditions contained in General Plan Approval and/or General Operating Permit (BAQ-GPA/GP 9) for Diesel or No. 2 Fuel-fired Internal Combustion Engines, and all conditions contained in the Department's exemption of the woodworking operations have been included in the operating permit. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions.

**17-00051: New Enterprise Stone & Lime Co., Inc.** (P.O. Box 77, New Enterprise, PA 16664), for their facility located in Lawrence Township, **Clearfield County**. The facility's main sources include one batch mix asphalt plant and plant associated fugitive emissions. The facility has the potential to emit particulate matter (PM10), nitrogen oxides (NOx), sulfur oxides (SOx), volatile organic compounds (VOC), and combined and individual hazardous air pollutants (HAP) emissions below the major thresholds. The facility has taken a synthetic minor restriction to limit the carbon monoxide (CO) emissions below the major threshold. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions.

**17-00040: Moshannon Valley School District** (4934 Green Acre Road, Houtzdale, PA 16651) for their elementary and Junior/senior high school located in Bigler Township, **Clearfield County**. The facility's main sources include two (2) bituminous/no. 2 fuel oil fired boilers and one (1) propane fired emergency generator. The facility has the potential to emit major quantities of sulfur oxides (SOx). The facility has taken synthetic minor restrictions to limit its usage of bituminous coal

and no. 2 fuel oil to keep its SOx emissions below Title V emissions thresholds. The facility has the potential to emit nitrogen oxides (NOx), carbon monoxide (CO), particulate matter including particulate matter with aerodynamic diameter of less than 10 microns (PM-PM10), volatile organic compounds (VOCs) and hazardous air pollutants (HAPs) below the Title V emissions thresholds. The proposed operating permit contains all applicable requirements including Federal and State regulations. In addition, monitoring, recordkeeping and reporting conditions regarding compliance with all applicable requirements are included.

**55-00011: National Limestone Quarry, Inc.** (PO Box 937, Middleburg, PA 17842) for their Freemont Quarry located in Perry Township, **Snyder County**. The facility's main sources include stone crushing process equipment, one (1) cold cleaning degreaser, and five (5) storage tanks. The facility has the potential to emit sulfur oxides (SOx), nitrogen oxides (NOx), carbon monoxide (CO), particulate matter (PM10), volatile organic compounds (VOCs), and hazardous air pollutants (HAPs) below the major emission thresholds. The proposed operating permit contains all applicable requirements including Federal and State regulations. In addition, monitoring, recordkeeping and reporting conditions regarding compliance with all applicable requirements are included.

**19-00010: Wise Foods, Inc.** (228 Raseley Street, Berwick, PA 18603) for their Wise Foods Berwick plant located in Berwick Borough, **Columbia County**. The facility's main sources include three (3) potato chip manufacturing lines, six (6) related snack food manufacturing lines, 71 combustion units and six (6) process ovens. The facility has the potential to emit major quantities of sulfur oxides (SOx). The facility has taken a synthetic minor restriction to limit its usage of no. 2 fuel oil to keep its SOx emissions below Title V emissions thresholds. The facility has the potential to emit nitrogen oxides (NOx), carbon monoxide (CO), particulate matter including particulate matter with aerodynamic diameter of less than 10 microns (PM-PM10), volatile organic compounds (VOCs) and hazardous air pollutants (HAPs) below the Title V emissions thresholds. The proposed operating permit contains all applicable requirements including Federal and State regulations. In addition, monitoring, recordkeeping and reporting conditions regarding compliance with all applicable requirements are included in the proposed operating permit.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: Barbara Hatch, Facilities Permitting Chief—Telephone: 412-442-4174*

**63-00035: Monongahela Iron & Metal Co., Inc.** (PO Box 250, Monongahela, PA 15063) for operation of recycling of ferrous and non-ferrous materials at facility in Monongahela, **Washington County**. This is a State Only Operating Permit Renewal submittal.

**11-00277: Northern Cambria School District—Elementary Middle School** (600 Joseph Street, Northern Cambria, PA 15714) for operation of a boiler at their school in Northern Cambria, **Cambria County**. This is a State Only Operating Permit Renewal submittal.

**11-00280: Northern Cambria School District—High School** (600 Joseph Street, Northern Cambria, PA-15714) for operation of a boiler at their high school in Northern Cambria, **Cambria County**. This is a State Only Operating Permit Renewal submittal.



*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Matthew Williams, New Source Review Chief—Telephone: 814-332-6940*

**42-00155: MSL Oil and Gas Corp.** (Route 219 and Route 59 Intersection, Lewis Run, Lafayette, PA 16738) for a Natural Minor Permit to operate a gas production and distribution corporation in Lafayette Township, **McKean County**. The significant sources are one compressor engine of 360 HP with refrigeration system and re-boiler, one 186 HP compressor engine with catalytic converter, one 180 HP compressor engine and miscellaneous equipment leaks. The facility is a natural minor because the emissions from the facility are less than Title V emission thresholds.

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). Mining activity permits issued in response to applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).

The following permit applications to conduct mining activities have been received by the Department. A copy of an application is available for inspection at the district mining office indicated before each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

Written comments or objections, or requests for an informal conference or a public hearing, as applicable, on a mining permit application may be submitted by a person or an officer or head of Federal, state or local government agency or authority to the Department at the address of the district mining office indicated before each application within 30 days of this publication or within 30 days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

Written comments or objections regarding a mining permit application should contain the name, address and telephone number of the person submitting comments or objections, the application number and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based.

A request for an informal conference or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 or § 86.34, must contain the name, address and telephone number of the requestor; the application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

When an NPDES number is listed, the mining activity permit application was accompanied by an application for an individual NPDES permit. The Department has made

a tentative determination to issue the NPDES permit in conjunction with the mining activity permit, but the issuance of the NPDES permit is contingent upon the approval of the associated mining activity permit.

For coal mining activities, NPDES permits, when issued, will contain effluent limits that do not exceed the technology-based effluent limitations. The proposed limits are listed in Table 1.

For noncoal mining activities, the proposed limits are in Table 2. Discharges from noncoal mines located in some geologic settings (for example, in coal fields) may require additional effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters. The limits will be in the ranges specified in Table 1.

More restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining that may occur will be incorporated into an NPDES permit when necessary for compliance with water quality standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91—96).

The procedures for determining the final effluent limits, using a mass-balance equation or model, are in Technical Guidance Document 362-0600-001, NPDES Program Implementation-Memorandum of Understanding (MOU) Concerning Water Quality Management, NPDES Program Implementation, and Related Matters. Other specific factors to be considered include public comments and Total Maximum Daily Loads.

Persons wishing to comment on NPDES permit applications should submit statements to the Department at the address of the district mining office indicated before each application within 30 days of this public notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit applications. A comment must include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests or petitions for a public hearing on NPDES permit applications as provided in 25 Pa. Code § 92.61. The request or petition for a public hearing shall be filed within 30 days of this public notice and contain the name, address, telephone number and the interest of the party filing the request and state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

### *Coal Applications Received*

*Effluent Limits*—The following range of effluent limits will apply to NPDES permits issued in conjunction with the associated coal mining activity permit and, in some cases, noncoal mining permits:

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
Iron (total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Aluminum (Total)	0.75 to 2.0 mg/l	1.5 to 4.0 mg/l	2.0 to 5.0 mg/l
pH <sup>1</sup>		greater than 6.0; less than 9.0	
Alkalinity greater than acidity <sup>1</sup>			

<sup>1</sup> The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; and mined areas backfilled and revegetated; and drainage (resulting from a precipitation event of less than or equal to a 1-year 24-hour event) from coal refuse disposal piles.

*California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100*

**30101301 and NPDES Permit # PA0235971, CWMM LLC**, (165 East Union Street, Suite 300, Somerset, PA 15501), to operator the CW Morgan Mine in Dunkard, Perry, Whitely, and Greene Townships, **Greene County** a new underground mine and related NPDES permit. Application also includes a request for a Section 401 Water Quality Certification. Written comments or objection on the permit application and the request for Section 401 water quality application may be submitted to the Department. Surface Acres Proposed 72.1, Underground Acres Proposed 2745.9, Subsidence Control Plan Acres Proposed 1245.3. Receiving stream: Dunkard Creek, classified for the following use: WWF. Application received: May 20, 2010.

**30831303 and NPDES Permit # PA0013511, Cumberland Coal Resources, LP**, (P. O. Box 1020, 158 Portal Road, Waynesburg, PA 15370), to revise the permit for the Cumberland Mine in Center and Wayne Townships, **Greene County** to install ten ventilation boreholes. Surface Acres Proposed 10.45. No additional discharges. Application received: June 10, 2010.

**30841317 and NPDES Permit # PA0213527, Consol PA Coal Company, LLC**, (P. O. Box J, 1525 Pleasant Grove Road, Claysville, PA 15323), to revise the permit for the Enlow Fork Mine in East Finley Township, **Washington County** to install the F23 Bleeder Airshaft Site. Surface Acres Proposed 9.9. No additional discharges. Application received: April 15, 2010.

**32840701 and NPDES Permit # PA0092193, Tanoma Coal Company, Inc.**, (One Energy Place, Suite 1000, Latrobe, PA 15650), to renew the permit for the Tanoma Refuse Area #2 in Rayne Township, **Indiana County** and related NPDES permit for reclamation only/water treatment. No additional discharges. Application received: September 16, 2010.

**32980701 and NPDES Permit # PA0235369, RoxCOAL, Inc.**, (P. O. Box 49, 1576 Stoystown Road, Friedens, PA 15541), to renew the permit for the Rock Refuse Disposal Area (North Branch) in Green Township, **Indiana County** and related NPDES permit. No additional discharges. Application received: August 5, 2010.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900*

**32090101 and NPDES No. PA0262731. Britt Energies, Inc.**, P. O. Box 515, Indiana, PA 15701, revision of an existing bituminous surface mine to add mining of the Sewickley coal seam on a portion of the permit area in Conemaugh Township, **Indiana County**, affecting 43.3 acres. Receiving stream(s): Sulfur Run to Kiskiminetas Run classified for the following use(s): warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: October 25, 2010.

**32100101. NPDES No. PA0262978 and General Permit GP-12-32100101, Amerikohl Mining, Inc.**, 1384 SR 711, Stahlstown, PA 15687, revision of an existing bituminous coal mining site to obtain coverage for coal processing under air quality general permit GP-12 in West Wheatfield Township, **Indiana County**, affecting 56.3 acres. Receiving stream(s): Richards Run West Branch and Richards Run East Branch classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: March 16, 2010.

**56930110. NPDES No. PA0212610, Future Industries, Inc.**, P. O. Box 157, Meyersdale, PA 15552, revision of an existing bituminous surface mine to obtain a variance to the approximate original contour for the reclamation area to a portion of the mine site in Black Township, **Somerset County**, affecting 129.0 acres. Receiving stream(s): unnamed tributaries to Rhodes Creek and Rhodes Creek, an unnamed tributary to the Casselman River and unnamed tributary to Isers Run (topographic drainage only) classified for the following use(s): warm water fisheries and Isers Run is exceptional value. There are no potable water supply intakes within 10 miles downstream. Application received: October 22, 2010.

**56050105 and NPDES No. PA0249793. Svonavec, Inc.**, 150 West Union Street, Somerset, PA 15501, permit renewal for the continued operation and restoration of a bituminous surface mine in Milford Township, **Somerset County**, affecting 273.6 acres. Receiving stream(s): unnamed tributaries to/and Middle Creek and unnamed tributaries to/and South Glade Creek classified for the following use(s): trout stocked fishery, warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: October 28, 2010.

*Greensburg District Mining Office: Armbrust Professional Center, 8205 Route 819, Greensburg, PA 15601, 724-925-5500*

**65000201 and NPDES Permit No. PA0202835. Reichard Contracting, Inc.** (212 Olean Trail, New Bethlehem, PA 16242). Renewal application for continued



operation and reclamation of an existing bituminous surface mine, located in Sewickley Township, **Westmoreland County**, affecting 41 acres. Receiving streams: unnamed tributaries to Sewickley, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: November 1, 2010.

**65960107 and NPDES Permit No. PA0201618. Amerikohl Mining, Inc.** (1384 State Route 711, Stahlstown, PA 15687). NPDES renewal application for continued treatment of a discharge from an existing bituminous surface mine, located in Mt. Pleasant Township, **Westmoreland County**, affecting 460 acres. Receiving streams: unnamed tributaries to Laurel Run and Jacob's Creek, classified for the following use: CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: November 1, 2010.

**03950105 and NPDES Permit No. PA0201421. Allegheny Mineral Corp.** (P. O. Box 1022, Kittanning, PA 16201). Renewal application for continued mining of an existing bituminous surface mine, located in West Franklin Township, **Armstrong County**, affecting 439 acres. Receiving streams: Patterson Creek and an unnamed tributary to Buffalo Creek, classified for the following use: HQ-TSF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: November 1, 2010.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200*

**14820103 and NPDES No. PA0611719. AMFIRE Mining Co., LLC** (One Energy Place, Latrobe, PA 15650). Renewal of an existing bituminous surface mine located in Rush Township, **Centre County** affecting 379.7 acres. Receiving streams: unnamed tributaries to Trout Run and unnamed tributaries to Moshannon Creek classified for High Quality Cold Water Fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: October 26, 2010.

**17840126 and NPDES No. PA0609781. TDK Coal Sales, Inc.** (279 Shannon Road, Monongahela, PA 15063). Renewal of an existing bituminous surface mine located in Jordan Township, **Clearfield County** affecting 341.7 acres. Receiving streams: Comfort Run and Hunter Run classified for Cold Water Fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: November 3, 2010.

**17960115 and NPDES No. PA0220418. Waroquier Coal Co.** (P. O. Box 128, Clearfield, PA 16830). Permit renewal for reclamation activities only of a surface mine located in Girard Township, **Clearfield County** affecting 37.1 acres. Receiving streams: unnamed tributaries to Bald Hill Run, Bald Hill Run classified for Cold Water Fisheries to the West Branch of the Susquehanna River classified for Warm Water Fishery. There are no potable water supply intakes within 10 miles downstream. Application received: October 27, 2010.

**17040108 and NPDES No. PA0243825. Sky Haven Coal, Inc.** (5510 State Park Road, Penfield, PA 15849). Permit renewal for reclamation activities only of a surface mine located in Boggs Township, **Clearfield County** affecting 62.1 acres. Receiving streams: Laurel Run classified for Cold Water Fishery to Moshannon Creek classified for High Quality Cold Water Fishery. There are no potable water supply intakes within 10 miles downstream. Application received: October 20, 2010.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118*

**54900103R4. EOJ, Inc.,** (2401 Summer Valley Road, New Ringgold, PA 17960), renewal of an existing anthracite surface mine operation in East Norwegian Township, **Schuylkill County** affecting 192.6 acres, receiving stream: none. Application received: November 1, 2010.

*Noncoal Applications Received*

*Effluent Limits*—The following effluent limits will apply to NPDES permits issued in conjunction with a noncoal mining permit:

Parameter	Table 2		
	30-day Average	Daily Maximum	Instantaneous Maximum
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Alkalinity exceeding acidity* pH*		greater than 6.0; less than 9.0	

\* The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to surface runoff resulting from a precipitation event of less than or equal to a 10-year 24-hour event. If coal will be extracted incidental to the extraction of noncoal minerals, at a minimum, the technology-based effluent limitations identified under coal applications will apply to discharges of wastewater to streams.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900*

**21050301 and NPDES Permit No. PA0224456. JR Zimmerman Enterprises, LLC,** 35 Ridge Road, Newville, PA 17241, renewal of NPDES Permit, North Newton Township, **Cumberland County**. Receiving stream(s): unnamed tributary to Green Spring Creek

classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. NPDES renewal application received: October 12, 2010.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118*

**58100302 and NPDES Permit No. PA022485. William M. Ruark,** (P. O. Box 127, Meshoppen, PA 18630), commencement, operation and restoration of a quarry operation in Dimock Township, **Susquehanna County** affecting 64.4 acres, receiving stream: unnamed tributary to Elk Lake Stream, classified for the following use: cold water fishes. Application received: October 29, 2010.

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate the sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before an application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between 8 a.m. and 4 p.m. on working days at the office noted before the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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### Applications Received under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and Requests for Certification under section 401(a) of the FWPCA.

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#### WATER OBSTRUCTIONS AND ENCROACHMENTS

*Southeast Region: Watershed Management Program Manager, 2 East Main Street, Norristown, PA 19401*

**E46-1058. Lower Gwynedd Township**, 1130 N. Bethlehem Pike, Spring House, PA 19477, Lower Gwynedd Township, **Montgomery County**, ACOE Philadelphia District.

To extend and maintain the existing 76-inch span, 48-inch rise box culvert across Penllyn Creek, by 50 feet on the upstream end associated with the proposed Penllyn Pike Trail.

The site is located approximately 2000 feet south of the intersection of Blue Bell Pike and Gypsy Hill Road, (Ambler, PA USGS Quadrangle, N:8.5 inches; W: 16.2 inches).

#### EROSION AND SEDIMENT CONTROL PERMITS

The following parties have applied for Erosion and Sediment Control Permits for earth disturbance activities associated with either road maintenance or timber harvesting operations.

Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department proposes to issue a permit to discharge, subject to certain limitations in the permit conditions. These proposed determinations are tentative. Limitations are provided as erosion and sediment control best management practices which restrict the rate and quantity of sediment discharged.

A person wishing to comment on a proposed permit are invited to submit a statement to the appropriate Department regional office listed before the application within 30 days of this public notice. Comments reviewed within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and relevant facts upon which it is based. A public hearing may be held after consideration of comments received by the appropriate Department regional office during the 30-day public comment period.

Following the 30-day comment period, the appropriate regional office water management program manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board (Board).

The application and related documents, including the erosion and sediment control plan for the earth disturbance activity, are on file and may be inspected at the appropriate regional office.

Persons with a disability that require an auxiliary aid, service or other accommodation to participate during the 30-day public comment period should contact the specified regional office. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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### Applications received under sections 5 and 402 of The Clean Streams Law (35 P. S. §§ 691.5 and 691.402)

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*Northwest Region: Oil and Gas Program Manager, 230 Chestnut Street, Meadville, PA 16335 814-332-6860*

**E1608-001, Dannic Energy Corporation**, 134 Millrun Drive, Indiana, PA 15701. Masters Pipeline, in Ashland and Elk Townships, **Clarion County**, Army Corps of Engineers Pittsburgh District (Kossuth, PA Quadrangle N: 41°, 17', 30"; W: 79°, 34', 00").

The applicant proposes to construct and maintain approximately 28,000 feet of 2" diameter natural gas pipeline located north of Route 322 in Ashland Township and Elk Township, Clarion County. The proposed pipeline will connect an existing well field in Ashland Township to a sales point in Elk Township. Approximately 3 miles of the proposed pipeline will be placed within an abandoned railroad grade. The water obstructions and encroachments for the purpose of installing the natural gas gathering line and associated access roadways are described below:

<i>Impact No.</i>	<i>Description of Impact</i>	<i>Latitude / Longitude</i>
Wetland 1	A 2" diameter natural gas pipeline to be bored under 42 feet of a palustrine emergent / scrub-shrub (PEM/SS) EV wetland.	41° 18' 09" 79° 35' 32"
Wetland 2	A 2" diameter natural gas pipeline to be bored under 20 feet a palustrine emergent (PEM) EV wetland.	41° 18' 08" 79° 35' 31"
Wetland 3	A 2" diameter natural gas pipeline to be installed by open trench and a temporary road crossing through 25 feet a palustrine emergent (PEM) EV wetland. Impacted area: 250 square feet.	41° 17' 41" 79° 34' 43"
Wetland 13	A 2" diameter natural gas pipeline to be installed by open trench and a temporary road crossing through two portions a palustrine emergent (PEM) EV wetland totaling 30 feet. Impacted area: 300 square feet.	41° 16' 42" 79° 31' 35"
Watercourse 1	A 2" diameter natural gas pipeline to be installed by open trench and a temporary road crossing across a 1.5-foot wide unnamed tributary to Little East Sandy Creek (CWF). Impacted area: 15 square feet.	41° 18' 25" 79° 35' 46"
Watercourse 2	A 2" diameter natural gas pipeline to be bored under a 3-foot wide unnamed tributary to Little East Sandy Creek (CWF).	41° 18' 09" 79° 35' 32"
Watercourse 3	A 2" diameter natural gas pipeline to be bored under 20-foot wide section of Little East Sandy Creek (CWF).	41° 18' 08" 79° 35' 31"
Watercourse 4	A 2" diameter natural gas pipeline to be installed by open trench and a temporary road crossing across a 2-foot wide unnamed tributary to Little East Sandy Creek (CWF). Impacted area: 20 square feet.	41° 17' 58" 79° 35' 17"
Watercourse 5	A 2" diameter natural gas pipeline to be installed by open trench and a temporary road crossing across a 4-foot wide unnamed tributary to Little East Sandy Creek (CWF). Impacted area: 40 square feet.	41° 17' 47" 79° 35' 03"
Watercourse 6	A 2" diameter natural gas pipeline to be installed by open trench and a temporary road crossing across a 14-foot wide unnamed tributary to Little East Sandy Creek (CWF). Impacted area: 140 square feet.	41° 17' 43" 79° 34' 44"
Watercourse 7	A 2" diameter natural gas pipeline to be installed by open trench and a temporary road crossing across a 7-foot wide unnamed tributary to Little East Sandy Creek (CWF). Impacted area: 70 square feet.	41° 17' 41" 79° 34' 43"
Watercourse 8	A 2" diameter natural gas pipeline to be installed by open trench and a temporary road crossing across a 8-foot wide unnamed tributary to Little East Sandy Creek (CWF). Impacted area: 80 square feet.	41° 17' 40" 79° 34' 39"
Watercourse 9	A 2" diameter natural gas pipeline to be installed by open trench and a temporary road crossing across a 3-foot wide unnamed tributary to Little East Sandy Creek (CWF). Impacted area: 30 square feet.	41° 17' 40" 79° 34' 36"
Watercourse 10	A 2" diameter natural gas pipeline to be installed by open trench and a temporary road crossing across a 15-foot wide unnamed tributary to Little East Sandy Creek (CWF). Impacted area: 150 square feet.	41° 17' 40" 79° 34' 27"

The project will result in a total of 89 linear feet of temporary stream impacts and 0.02 acres of temporary impacts to EV wetlands from utility line crossings and temporary road crossings. Little East Sandy Creek is a perennial stream classified as cold water fishery (CWF).

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## ACTIONS

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### THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT FINAL ACTIONS TAKEN FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P. S. §§ 691.1—691.101) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Wastes; Discharges to Groundwater
Section IV	NPDES	MS4 Individual Permit



<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section V	NPDES	MS4 Permit Waiver
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should contact a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

#### **I. NPDES Renewal Permit Actions**

*Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0032433 (Sewage)	Frances Slocum State Park 565 Mount Olivet Road Wyoming, PA 18644	Luzerne County Kingston Township	Abrahams Creek (5-B)	Y

*Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0003549 Industrial Waste	Dominion Transmission Corporation 1201 Pitt Street Pittsburgh, PA 15221-2029	Westmoreland County Salem Township	Beaver Run	Y
PA0096873 Sewage	Victor Merola 211 Lloyd Avenue North Versailles, PA 15137	Westmoreland County Cook Township	Keffer Run	Y
PA0096091 Sewage	Aleppo Township Municipal Authority Deer Run Road Sewickley, PA 15143-0081	Allegheny County Aleppo Township	UNT to Ohio River	Y
PA0218243 Sewage	Donald L. Hobaugh 401 Red Arrow Road Ligonier, PA 15658	Westmoreland County Ligonier Township	Bergstrom Hollow Run	Y
PA0218987 Sewage	John A. & Diana M. Vaccarello 487 Exton Lake Road Apollo, PA 15613	Westmoreland County Washington Township	Site Storm Sewer to Drainage Swale to Poke Run	Y
PA0218570 Sewage	Central Mainline Sewer Authority PO Box 56 Lilly, PA 15938	Cambria County Portage Township	Little Conemaugh River	Y

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0094137 Sewage	RJ & L Limited Partnership 10006 Hammock Bend Chapel Hill, NC 27517	Beaver County Hopewell Township	UNT of Boggs Run	Y

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## II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions

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*Southeast Region: Water Management Program Manager, 2 East Main Street, Norristown, PA 19401*

**NPDES Permit No. PA0058483**, Industrial Waste, **Philadelphia Authority for Industrial Development**, Philadelphia Naval Business Center, 1413 Langley Avenue, Quarters A, Philadelphia, PA 19112.

This proposed facility is located in Philadelphia City, **Philadelphia County**.

Description of Proposed Action/Activity: Approval for the renewal of an NPDES Permit to discharge 29 MGD of once through non-contact cooling water from the power plant cooling water system to Delaware River Estuary Zone 4 in Watershed 3-J.

*Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**NPDES Permit No. PA0036660**, Sewage, **City of Titusville**, 107 N. Franklin Street, Titusville, PA 16354.

This existing facility is located in City of Titusville, **Crawford County**.

Description of Proposed Action/Activity: Issuance of a NPDES renewal permit for an existing discharge of treated sewage from a POTW. This is a major discharge.

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## III. WQM Industrial Waste and Sewerage Actions under The Clean Streams Law

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*Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes Barre, PA 18711-0790*

**WQM Permit No. 1310402**, Sewerage, **Central Carbon Municipal Authority**.

This proposed facility is located in Mahoning Township, **Carbon County**.

Description of Proposed Action/Activity: Issuance of Water Quality Management Permit for the construction and operation of a paved sludge storage pad at the WWTP.

**WQM Permit No. WQG022217**, Sewerage, **Orwigsburg Borough Municipal Authority**, 209 North Warren Street, P. O. Box 128, Orwigsburg, PA 17961.

This proposed facility is located in Orwigsburg Borough, **Schuylkill County**.

Description of Proposed Action/Activity: This project involves construction of a sewer extension and pump station to connect the Pine Creek Retirement Community to the public sewer system, with treatment of the sewage at the existing Orwigsburg wastewater treatment plant.

*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.*

**WQM Permit No. 6710403**, Sewage, **Penn Township**, 20 Wayne Avenue, Hanover, PA 17331.

This proposed facility is located in Penn Township, **York County**.

Description of Proposed Action/Activity: Permit approval for the construction/operation of sewerage facilities consisting of: Replacement of the existing Main Interceptor from Manhole D at the treatment plant to Manhole 31 near York Street.

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## IV. NPDES Stormwater Discharges from MS4 Permit Actions

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## V. NPDES Waiver Stormwater Discharges from MS4 Actions

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## VI. NPDES Discharges of Stormwater Associated with Construction Activities Individual Permit Actions

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*Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes Barre, PA 18711-0790*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023908015	Seipstown Village, LLC 1793 Folk Road Fogelsville, PA 18051	Lehigh Co.	Weisenberg Twp.	Hassen Creek (HQ-CWF, MF)

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## VII. Approvals to Use NPDES and/or Other General Permits

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The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).



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**List of NPDES and/or Other General Permit Types**


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PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities (PAR)
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Nonexceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

*General Permit Type—PAG-02*
*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
City of Allentown Lehigh Co.	PAG02003910008	Jane Ervin Community Services for Children 1520 Hanover Ave. Allentown, PA 18109	Lehigh River WWF, MF	Lehigh Co Conservation District 610-391-9583
West Hanover Township Dauphin County	PAG2002210031	Douglas Halbert Hershey Road Associates LP 2151 Linglestown Road, Suite 300 Harrisburg, PA 17110	Manada Creek/WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8276
Swatara Township Dauphin County	PAG2002210028	JB Hunt Transportation, Inc. 705 B North Bloomington Lowell, AR 72745	Spring Creek/CWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8276
Susquehanna Township Dauphin County	PAG22002210030	Andrew S. Williams Williams Holding Group 2325 Paxton Church Road Harrisburg, PA 17110	Paxton Creek/WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8276
Lancaster City Lancaster County	PAG2003610019-1	Franklin & Marshall College 415 Harrisburg Avenue Lancaster, PA 17603	Conestoga Creek/WWF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361 Ext 5
Rapho Township Lancaster County	PAG2003610047	Steven Edris 2470 Camp Road Manheim, PA 17545	UNT to Little Chickies Creek/WWF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361 Ext 5

## NOTICES

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<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Manheim Township Lancaster County	PAG2003610051	HHH Properties 15 Meadow Lane Lancaster, PA 17601	Bachman Run/WWF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361 Ext 5
Manheim Township Lancaster County	PAG2003610053	Wanner Realty Co. 1373 Manheim Pike Lancaster, PA 17601	UNT to Little Conestoga Creek/TSF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361 Ext 5
Paradise Township Lancaster County	PAG2003610054	M K Partners LP 5227 Strasburg Road Parkesburg, PA 19365	Londonland Run/CWF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361 Ext 5
Strasburg Borough Lancaster County	PAG2003610055	Historic Properties Partners P. O. Box 129 Strasburg, PA 17579	UNT to Pequea Creek/WWF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361 Ext 5
East Lampeter Township Lancaster County	PAG2003610056	David L. Beiler 221 Lynwood Road Ronks, PA 17572	UNT to Mill Creek/CWF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361 Ext 5
Elizabethtown Borough Lancaster County	PAG2003610057	Elizabethtown College One Alpha Drive Elizabethtown, PA 17022	UNT to Conoy Creek/TSF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361 Ext 5
Salisbury Township Lancaster County	PAG2003610058	Mervin R. Zook 5509 Lincoln Highway Gap, PA 17527	UNT to Pequea Creek/CWF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361 Ext 5
Windsor Township Berks County	PAG2000605078-R	Walter Greth Greth Development Group 253 Snyder Road Reading, PA 19605	UNT to Schuylkill River/WWF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-9710 610-372-4657 Ext 201
North Cornwall Township Lebanon County	PAG2003810024	Mike S. Gillespie Pennsylvania Department of Transportation Engineering District 8-0 2140 Herr Street Harrisburg, PA 17103	Snitz Creek/TSF	Lebanon County Conservation District 2120 Cornwall Road, Suite 5 Lebanon, PA 17042 717-272-3908 Ext 4
Myerstown Borough Lebanon County	PAG2003810025	Leonard Martin DLI Company LLC P. O. Box 435 Myerstown, PA 17067	Tulpehocken Creek/TSF	Lebanon County Conservation District 2120 Cornwall Road, Suite 5 Lebanon, PA 17042 717-272-3908 Ext 4

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Swatara Township Lebanon County	PAG2003810028	Patrick Kreiser Kreiser Construction, Inc. 2 Goodyear Lane Newmanstown, PA 17073	Swatara Creek/WWF	Lebanon County Conservation District 2120 Cornwall Road, Suite 5 Lebanon, PA 17042 717-272-3908 Ext 4
Fermanagh Township Milford Township Walker Township Mifflin Borough Mifflintown Borough Juniata County	PAG2033410002	Pennsylvania Department of Transportation Engineering District 2-0 1924 Daisy Street Clearfield, PA 16830	Juniata River/WWF	Juniata County Conservation District 146 Stoney Creek Drive, Suite 4 Mifflintown, PA 17059 717-436-8953 ext 5
Penn Township Berks County	PAG2000610049	Michael Gallen Mifflin Management Group, LLC 833 Wyomissing Road Mohnton, PA 19540	Irish Creek/WWF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-9710 610-372-4657 Ext 201
Upper Allen Township Lower Allen Township Cumberland County	PAG2002108025-1	Francis McNaughton McNaughton Properties, LP 4400 Deer Path Road, Suite 201 Harrisburg, PA 17110	UNT to Cedar Run	Cumberland County Conservation District 310 Allen Road, Suite 301 Carlisle, PA 17013 717-240-7812
Asylum Township Bradford County	PAG2000810017	Chris Ferris Mages Group, LLC PO Box 699 Gainesville, TX 76240	Susquehanna River WWF	Bradford County Conservation District Stoll Natural Resource Center RR 5, Box 5030C Towanda, PA 18848 (570) 265-5539, X 6
Scott Township Columbia County	PAG2001909005(1)	Paul Gardner, Sr. Gardner Gas, Inc. 500 N. Poplar Street Berwick, PA 18603	UNT to N. Branch Susquehanna River CWF-MF	Columbia County Conservation District 702 Sawmill Road Suite 204 Bloomsburg, PA 17815 (570) 784-1310, X 102
Mifflinburg Borough Union County	PAG2006010008	Jason Mitchell CVS Pharmacy- Mifflinburg 3100 Market St Camp Hill, PA 17011	Buffalo Creek CWF	Union County Conservation District Union County Government Center 155 North 15th Street Lewisburg, PA 17837 (570) 524-3860
Armstrong County Ford City Borough	PAG2000310002	Ford City Borough Municipal Sewage Disposal Authority PO Box 66 Ford City, PA 16226	Allegheny River (WWF)	Armstrong County CD Armsdale Administration Building 124 Armsdale Road Kittanning, PA 16201 724-548-3435
Greene County Richhill Township	PAG2003010007	Consol PA Coal Company 1525 Pleasant Grove Road Claysville, PA 15323	Enlow Forte (TSF)	Greene County CD 19 South Washington St. Waynesburg, PA 15370 724-852-5278
Greene County Cumberland Twp.	PAG2003010009	Southwestern PA Water Authority 1442 Jefferson Road PO Box 187 Jefferson, PA 15344	UNT to Monongahela River (WWF)	Greene County CD 19 South Washington St. Waynesburg, PA 15370 724-852-5278

NOTICES

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*Facility Location:  
Municipality &  
County*

Cranberry  
Township  
Butler County

*Permit No.*  
PAG02 0010 10  
017

*Applicant Name &  
Address*  
Michael Morris  
Sampson-Morris Group  
2500 Eldo Road  
Monroeville PA 15146

*Receiving  
Water/Use*  
UNT Brush Creek WWF

*Contact Office &  
Phone No.*  
Butler Conservation  
District  
724-284-5270

*General Permit Type—PAG-3*

*Facility Location:  
Municipality &  
County*

Scranton City  
Lackawanna  
County

*Permit No.*  
PAR602236

*Applicant Name &  
Address*  
Anthracite Auto  
Exchange Inc  
900 Fifth Ave.  
Scranton PA 18504

*Receiving Water/Use*  
Lackawanna River  
(WWF)

*Contact Office &  
Phone No.*  
PA DEP  
Northeast Regional Office  
2 Public Square  
Wilkes Barre, PA  
18701-1915  
570-826-2511

Macungie Boro  
Lehigh County

PAR802251

First Student, Inc.  
600 Vine Street  
Su 1400  
Cincinnati, OH 45202

Spring Creek CWF

PA DEP  
Northeast Regional Office  
2 Public Square  
Wilkes Barre, PA  
18701-1915  
570-826-2511

Northampton Boro.  
Northampton  
County

PAR802252

First Student, Inc.  
600 Vine Street  
Su 1400  
Cincinnati, OH 45202

Hokendaugua Creek  
CWF

PA DEP  
Northeast Regional Office  
2 Public Square  
Wilkes Barre, PA  
18701-1915  
570-826-2511

Dauphin County  
Harrisburg City

PAR603506

Consolidated Scrap  
Resources, Inc.  
120 Hokes Mill Road  
PO Box 389  
York, PA 17405

Paxton Creek / WWF

DEP—SCRO  
909 Elmerton Avenue  
Harrisburg, PA 17110  
717-705-4707

York County  
York City

PAR603520

Consolidated Scrap  
Resources, Inc.  
120 Hokes Mill Road  
PO Box 389  
York, PA 17405

Codorus Creek / WWF

DEP—SCRO  
909 Elmerton Avenue  
Harrisburg, PA 17110  
717-705-4707

Cumberland County  
Camp Hill Borough

PAR213510

Atlas Roofing  
Corporation  
2564 Valley Road  
Meridian, MS 39370

UNT of Cedar Run /  
CWF

DEP—SCRO  
909 Elmerton Avenue  
Harrisburg, PA 17110  
717-705-4707

Berks County  
Colebrookdale  
Township

PAR803725

William R. Gift  
PO Box 329  
Boyertown, PA 19512

Ironstone Creek / TSF

DEP—SCRO  
909 Elmerton Avenue  
Harrisburg, PA 17110  
717-705-4707

*General Permit Type—PAG-12*

*NPDES  
Permit No.*

PAG123637

*Applicant Name &  
Address*

Jay L. Bleacher  
1173 Breneman Road  
Conestoga, PA 17516

*County*

Lancaster County

*Municipality*

Manor Township

*Receiving  
Water/Use*

Indian Run / TSF

*DEP  
Protocol  
(Y/N)*

Y

PAG123635

Alan D. Bleacher  
Randy L. Bleacher  
2794 Safe Harbor Road  
Millersville, PA 17551

Lancaster County

Manor Township

Indian Run / TSF

Y



<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>	<i>DEP Protocol (Y/N)</i>
PAG123588	Lynn Eberly Mt. Pleasant Farms 2071 Mt. Pleasant Road Fayetteville, PA 17222	Franklin County	Greene Township	Conococheaque / WWF	Y
PAG123634	Robert Hess Hessland Farms 686 Rock Point Road Mount Joy, PA 17552	Lancaster County	East Donegal Township	Donegal Creek / TSF	Y
PAG132506	Mark E. Leinbach 105 Hoover Lane Loysville, PA 17047	Perry County	Tyrone Township	Muddy Run / WWF	Y

**STATE CONSERVATION COMMISSION**

**NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS FOR CONCENTRATED ANIMAL FEEDING OPERATIONS (CAFO)**

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board’s rules of practice and procedure may be obtained from the Board. The appeal form and the Board’s rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge actions, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at (717) 787-3483 for more information.

**CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Clark Crest Dairy Ron Clark 754 Solano Road Quarryville, PA 17566	Lancaster	241.1	861	Dairy	HQ	Approved

**PUBLIC WATER SUPPLY (PWS) PERMITS**

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania

Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board’s rules of practice and procedure may be obtained from the Board. The appeal form and the Board’s rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this document to a lawyer at once.

Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

### SAFE DRINKING WATER

#### Actions taken under the Pennsylvania Safe Drinking Water Act

*Southeast Region: Water Supply Management Program Manager, 2 East Main Street, Norristown, PA 19401*

**Permit No. 4610517** Public Water Supply  
 Applicant **Audubon Water Company**  
 2650 Eisenhower Drive  
 Norristown, PA 19403  
 Township Lower Providence  
 County **Montgomery**  
 Type of Facility PWS  
 Consulting Engineer Evans Mill Environmental, LLC  
 P. O. Box 735  
 Uwchland, PA 19480  
 Permit to Construct Issued June 17, 2010

**Permit No. 0910503** Public Water Supply  
 Applicant **Plumstead Township**  
 P. O. Box 387  
 Plumsteadville, PA 18949  
 Township Plumstead  
 County **Bucks**  
 Type of Facility PWS  
 Consulting Engineer Pennoni Associates, Inc.  
 2005 South Easton Road  
 Doylestown, PA 18901  
 Permit to Construct Issued February 4, 2010

**Permit No. 1510515** Public Water Supply  
 Applicant **Borough of Phoenixville**  
 140 Church Street  
 Phoenixville, PA 19460  
 Borough Phoenixville  
 County **Chester**  
 Type of Facility PWS  
 Consulting Engineer Pennoni Associates, Inc.  
 2005 South Easton Road  
 Doylestown, PA 18901  
 Permit to Construct Issued July 28, 2010

**Permit No 0909530** Public Water Supply  
 Applicant **Hilltown Township Water and Sewer Authority**  
 P. O. Box 365  
 Sellersville, PA 18960  
 Township Hilltown  
 County **Bucks**  
 Type of Facility PWS  
 Consulting Engineer Castle Valley Consultants  
 10 Beulah Road  
 New Britain, PA 18901

Permit to Construct Issued December 16, 2009

**Permit No 0910519** Public Water Supply  
 Applicant **Newtown Artesian Water Company**  
 201 North Lincoln Avenue  
 Newtown, PA 18940  
 Borough Newtown  
 County **Bucks**  
 Type of Facility PWS  
 Consulting Engineer Gannett Fleming  
 P. O. Box 67100  
 Harrisburg, PA 17106-7100

Permit to Construct Issued July 8, 2010

**Permit No 1509513** Public Water Supply  
 Applicant **Avon Grove Charter School**  
 110 East State Road  
 West Grove, PA 19390  
 County **Franklin**  
 County **Chester**  
 Type of Facility PWS  
 Consulting Engineer Suburban Water Technology  
 1697 Swamp Pike  
 Gilbertsville, PA 19525-9489  
 Permit to Construct Issued November 30, 2009

*Southcentral Region: Water Supply Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110*

**Permit No. 0110507**, Minor Amendment, Public Water Supply.  
 Applicant **Hillandale Gettysburg LP**  
 Municipality Tyrone Township  
 County **Adams**  
 Responsible Official Ronald R Ballew, Environmental Compliance Manager  
 370 Spicer Rd  
 Gettysburg, PA 17325  
 Type of Facility Installation of arsenic removal treatment at Site 3.  
 Consulting Engineer Harry E Bingaman, P.E.  
 Glace Assoc., Inc.  
 3705 Trindle Rd.  
 Camp Hill, PA 17011  
 Permit to Construct Issued: 10/28/2010

**Permit No. 3810504 MA**, Minor Amendment, Public Water Supply.  
 Applicant **City of Lebanon Authority**  
 Municipality Lebanon  
 County **Lebanon**  
 Responsible Official Jonathan Beers,  
 Executive Director  
 2311 Ridgeview Road  
 Lebanon, PA 17042

Type of Facility      Repainting of the existing Sandhill Storage Tank.  
 Consulting Engineer      Kirt L Ervin, P.E. US Engineering, LLC 13742 Mary Lane Aviston, IL 62216  
 Permit to Construct Issued:      11/4/2010

**Operations Permit** issued to: **Elizabethtown Area Water Authority**, 7360124, Elizabethtown Borough, **Lancaster County** on 10/29/2010 for the operation of facilities approved under Construction Permit No. 3608517.

**Operations Permit** issued to: **New Holland Borough Water Authority**, 7360099, New Holland Borough, **Lancaster County** on 11/4/2010 for the operation of facilities approved under Construction Permit No. 3610541 MA.

**Operations Permit** issued to: **Blain Borough, 7500018**, Blain Borough, **Perry County** on 11/4/2010 for the operation of facilities approved under Construction Permit No. 5010509 MA.

**Operations Permit** issued to: **Lake Meade Municipal Authority**, 7010036, Reading Township, **Adams County** on 11/4/2010 for the operation of facilities approved under Construction Permit No. 0110512 MA.

**Operations Permit** issued to: **Lykens Borough Authority**, 7220022, Lykens Borough, **Dauphin County** on 10/22/2010 for the operation of facilities approved under Construction Permit No. 2210507 MA.

**Operations Permit** issued to: **The Grier School, 4310022**, Warriors Mark Township, **Huntingdon County** on 10/26/2010 for the operation of facilities approved under Construction Permit No. 3110502 MA.

**Operations Permit** issued to: **PA American Water Company, 7210029**, Silver Spring Township, **Cumberland County** on 11/4/2010 for the operation of facilities approved under Construction Permit No. 2110509 MA.

*Northcentral Region: Water Supply Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

**Permit No. Minor Amendment**—Operation Public Water Supply.

Applicant      **Bellefonte Borough Water Authority**  
 [Township or Borough]      Bellefonte Borough  
 County      **Centre**  
 Responsible Official      Mr. William D. Comly  
                                  Bellefonte Borough Water Authority  
                                  236 West Lamb Street  
                                  Bellefonte, PA 16823  
 Type of Facility      Public Water Supply—Operation  
 Consulting Engineer      Vikram Rawal  
                                  Advanced Controls, Inc.  
                                  700 River Avenue  
                                  Pittsburgh, PA 15212  
 Permit Issued Date      November 3, 2010

Description of Action      4-log inactivation of viruses at Entry Point 101 (Big Spring System) and Entry Point 102 (Corning System).

**Permit No. Minor Amendment**—Construction Public Water Supply.

Applicant      **Ulster Municipal Authority**  
 [Township or Borough]      Ulster Township  
 County      **Bradford**  
 Responsible Official      Ulster Municipal Authority  
                                  P. O. Box 157  
                                  Ulster, PA 18850  
 Type of Facility      Public Water Supply—Construction  
 Consulting Engineer      Travis Long, P.E.  
                                  Gwin Dobson & Foreman, Inc.  
                                  3121 Fairway Drive  
                                  Altoona, PA 16650

Permit Issued Date      November 4, 2010  
 Description of Action      Rehabilitation of Well #1.

**Permit No. Minor Amendment**—Operation Public Water Supply.

Applicant      **Towanda Municipal Authority**  
 [Township or Borough]      Towanda Borough  
 County      **Bradford**  
 Responsible Official      Mr. Fred Johnson  
                                  Towanda Municipal Authority  
                                  724 Main Street  
                                  Towanda, PA 18848

Type of Facility      Public Water Supply—Operation  
 Consulting Engineer      Michael McClain  
                                  Stiffler McGraw & Assoc.  
                                  1731 North Juniata Street  
                                  P. O. Box 462  
                                  Hollidaysburg, PA 16648

Permit Issued Date      November 5, 2010  
 Description of Action      4-log inactivation of viruses at Entry Point 101 (Well Nos. 1 and 2) and Entry Point 104 (Eilenberger Spring).

**SEWAGE FACILITIES ACT PLAN APPROVAL**

**Plan Approvals Granted under the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5)**

*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 717-705-4707.*

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Springettsbury Township	1501 Mount Zion Road, York, PA 17402	York County

*Plan Description:* Meadowland Drainage Basin, DEP Code No. C1-67957-ACT: The approved plan provides for the construction of an interceptor that will eliminate the Meadowlands Pump Station. The interceptor will convey approximately 608,000 gpd with ultimate sewage flow tributary to the Springettsbury Township Wastewater

Treatment Plant. The interceptor will tie into existing infrastructure near the intersection of Heindel Road and Concord Road and connect just north of East Market Street and Locust Grove Road in Springettsbury Township, York County. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

## HAZARDOUS SITES CLEAN-UP UNDER THE ACT OF OCTOBER 18, 1988

### Notice of Proposed Interim Response Marino Brothers Scrap Yard

#### Borough of Rochester, Beaver County

The Department of Environmental Protection ("Department"), under the authority of Sections 103 and 501 of the Hazardous Sites Cleanup Act ("HSCA"), proposes an interim response at the Marino Brothers Scrap Yard ("Site"). The former scrap yard is situated in an industrial area between the Ohio River and Railroad Street in the Borough of Rochester. The Site occupies approximately three (3) acres and operated as a scrap yard from the 1920s until October 1998.

Various investigations have been conducted at the Site and document that the surface and subsurface is contaminated with hazardous substances including PCBs, benzo(a)pyrene, antimony, arsenic, cadmium, chromium, copper, and lead above the cleanup standards under the Land Recycling and Environmental Remediation Standards Act ("Act 2"). Trichloroethene, vinyl chloride, PCBs, and lead were found in the groundwater above the Act 2 standards.

The Department considered the following three alternatives to address the waste and hazardous substances at the Site: (Alternative 1) taking no action, (Alternative 2) removal and off-site disposal of the contaminated soil and waste, and (Alternative 3) removal of scrap and miscellaneous waste, cover contaminated soil with clean fill, vegetate, and implement erosion and sedimentation controls.

Alternative 1 does not comply with the applicable, relevant, and appropriate requirements ("ARARs") and is not protective of human health and the environment. Although both Alternatives 2 and 3 comply with the ARARs and are protective, Alternative 3 is more cost effective than Alternative 2 (\$800,000 vs \$3,000,000). Based on its evaluation of the alternatives, the Department proposes Alternative 3.

This notice is being provided under Section 506(b) of the Hazardous Sites Cleanup Act. The Administrative Record which contains information forming the basis and documenting the selection of this response action is available for public review and comment at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222 and is available for review between 9 a.m. and 4 p.m.

The Administrative Record will be open for comment until February 18, 2011. Persons may submit written comments into the record, during this time only, by sending them or delivering them to Terry Goodwald, Project Manager, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222.

In addition, persons may present oral comments for inclusion in the administrative record at a public hearing scheduled for January 11, 2011 at 7:00 p.m. at the Borough of Rochester Municipal Building, located at 350

Adams Street, Rochester, PA 15074. Persons wishing to present comments must register with Katy Gresh at the Department's Southwest Regional Office, in writing at: 400 Waterfront Drive, Pittsburgh, PA 15222 or by telephone at (412) 442-4203 before noon, January 11, 2011.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to participate in the proceeding, should contact Katy Gresh at (412) 442-4203 or through the Pennsylvania AT&T Relay Service at (800) 654-5954 (TDD) to discuss how the Department may accommodate their needs.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995

#### PREAMBLE 2

**The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).**

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

*Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401*

**Horwitz Residence**, Whitpain Township, **Montgomery County**. Richard D. Trimpi, Trimpi Associates, Inc. 1635 Old Plains Road, Pennsburg, PA 18073, Deb Asesi,



State Farm Insurance Company, P. O. Box 8061, Ballston Spa, NY 12020 on behalf of Seth Horwitz, 645 Chatham Lane, Blue Bell, PA 19422 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Villanova University**, Radnor Township, **Delaware County**. Tony Finding, Brownfield Associates, Inc., 500 Coatesville Road, West Grove, PA 19390, Shaun Quinlan, Brownfield Associates, Inc., 500 Coatesville Road, West Grove, PA 19390 on behalf of Erika Lynch, Villanova University, 800 Lancaster Avenue, Villanova, PA 19085 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Anro Inc.**, Easttown Township, **Chester County**. James F. Mullan, P. E. Hocage Consulting, Inc., 9987 Haddon Avenue, Collingswood, NJ 08108 on behalf of Dave Spinell, ANRO, Inc., 22 Lancaster Avenue, Devon, PA 19333 has submitted a Final Report concerning remediation of site groundwater contaminated with MTBE and no. 2 fuel oil. The report is intended to document remediation of the site to meet the Site Specific Standard.

**Alessia MFG**, Collingdale Borough, **Delaware County**. Victoria Ryan, Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382, Douglas Schott, P. G., Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382, Kurt Spiess, EMT Remediation Services, 5066R West Chester Pike, Edgemont, PA 19028 on behalf of Richard Alessi, Alessi Manufacturing Corporation, 19 Jackson Avenue, Collingdale, PA 19023 has submitted a Final Report concerning remediation of site groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Background Standard.

**Presserve Residential Development Site Lot 3 and 4**, New Hanover Township, **Montgomery County**. Michael Beardsley, BL Companies, 2143 Market Street, 6th floor, Harrisburg, PA 17101 on behalf of David D. Waltz, First Cornerstone Bank, 1004 West Ninth Avenue, King of Prussia, PA 19406 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

*Northeast Region: Environmental Cleanup Program, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

**Mobil Pipe Line Company-Allentown Junction Valve Station**, 3983 Huckleberry Road, South Whitehall Township, **Lehigh County**. David J. Demko and Lieschen S. Fish, Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341 have submitted a Final Report (on behalf of their client Exxon Mobil Environmental Services Company, 1545 Route 22 East, Annandale, NJ 08801), concerning the remediation of groundwater found to have been impacted by unleaded gasoline as a result of a release, which occurred from the failure of an aboveground pipeline valve junction. The report was submitted to document attainment of the Statewide Health Standard for groundwater. A public notice regarding the submission of the Final Report was published in *The Morning Call* on January 8, 2010.

**Mobil Pipe Line Company-Allentown Junction Valve Station**, 4023 Huckleberry Road, South Whitehall Township, **Lehigh County**. David J. Demko and

Lieschen S. Fish, Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341 have submitted a Final Report (on behalf of their client Exxon Mobil Environmental Services Company, 1545 Route 22 East, Annandale, NJ 08801), concerning the remediation of groundwater found to have been impacted by unleaded gasoline as a result of a release, which occurred from the failure of an aboveground pipeline valve junction. The report was submitted to document attainment of the Statewide Health Standard for groundwater. A public notice regarding the submission of the Final Report was published in *The Morning Call* on January 8, 2010.

**Easton Area School District Education Center**, 1801 Bushkill Drive, Forks Township, **Northampton County**. Thomas J. Martinelli, JMT Environmental Technologies, Inc., P. O. Box 22044, Lehigh Valley, PA 18002-2044 has submitted a Final Report (on behalf of his client, Easton Area School District, 1801 Bushkill Drive, Easton, PA 18040), concerning the remediation of soil found to have been impacted by No. 2 fuel oil as a result of a release from a leaking underground storage tank. The report was submitted to document attainment of the Statewide Health Standard for soil. A public notice regarding the submission of the Final Report was published in *The Express Times* on May 11, 2010. A Notice of Intent to Remediate was simultaneously submitted.

*Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701*

**Faunce Road Hydraulic Oil Spill**. Knox Township, **Clearfield County**. Dawson Geophysical Company, 400 S. Pointe Blvd., Suite 425, Canonsburg, PA 15317 has submitted a Final Report within 90 days of the release concerning remediation of site soil contaminated with trans-fluid. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**F.T. Seismic Support, Inc. State Game Lands 59 Diesel Fuel Release**. Pleasant Valley Township, **Potter County**, URS Corp., 4507 N. Front St., Suite 200, Harrisburg, PA 17110 on behalf of F. T. Seismic Support, Inc., 5596 Mills Road, Campbell, NY 14821 has submitted within 90 days of the release a Final Report concerning remediation of site soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995

#### PREAMBLE 3

**The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).**

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a de-

scription of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

*Northeast Region: Environmental Cleanup Program, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

**Stratz Property**, 3225 West Highland Street, South Whitehall Township, **Lehigh County**. Iain Barton and Jeremy Fox, EMS Environmental, Inc., 4550 Bath Pike, Bethlehem, PA 18017-9010 submitted a Final Report (on behalf of their client, Irene Statz, 3225 West Highland Street, Allentown, PA 18104), concerning the remediation of soil found to have been impacted by No. 2 fuel oil as a result of a release from a 275-gallon aboveground storage tank during delivery. The report documented attainment of the Statewide Health Standard for soils and was approved on October 29, 2010.

*Southcentral Region: Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**Former Lancaster Malleable Casting Company**, Manheim Township, **Lancaster County**. Reliance Environmental, Inc., 130 East Chestnut Street, Lancaster, PA 17602, on behalf of Mac Land Company, 1350 Fruitville Pike, Lancaster, PA 17601, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil from underground storage tanks. The Final Report demonstrated attainment of the Residential Statewide Health standard, and was approved by the Department on November 1, 2010.

**Former Lancaster Press Building**, City of Lancaster, **Lancaster County**. Environmental Standards, Inc. 1140 Valley Forge Road, P. O. Box 810, Valley Forge, PA 19482-0810, on behalf of City of Lancaster,

Economic Development and Neighborhood Revitalization, 120 North Duke Street, P. O. Box 1599, Lancaster, PA 17608 submitted a combined Remedial Investigation and Final Report concerning remediation of site soils contaminated with VOCs, PAHs, PCBs and Inorganics. The combined report demonstrated attainment of the Site-Specific standard, and was approved by the Department on November 2, 2010.

*Northwest Region: Environmental Cleanup Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**Former Wolf's Head Property North Parcel**, Sugarcreek Township, **Venango County**. URS Corporation, Foster Plaza 4, 501 Holiday Drive, Suite 300, Pittsburgh, PA 15220 on behalf of Pennzoil-Quaker State Company, 910 Louisiana OSP 687, Houston, TX 77002 has submitted a Combined Remedial Investigation/Risk Assessment/Final Report concerning the remediation of site soil contaminated with Acetone, Benzene, 2-Butanone (MEK), Carbon, Disulfide, Toluene, Xylenes (total), Acenaphthene, Anthracene, Benzo(a)anthracene, Benzo(a)pyrene, Benzo(b)Fluoranthene, Benzo(ghi)perylene, Benzo(k)fluoranthene, BEHP, Carbazole, Chrysene, Dibenz(a,h)anthracene, Dibenzofuran, Fluoranthene, Fluorene, Indeno(1,2,3-cd) pyrene, Isophorone, 2-Methylnaphthalene, Naphthalene, Pentachlorophenol, Phenanthrene, Pyrene, Arsenic, Barium, Beryllium, Boron, Cadmium, Chromium, Cobalt, Copper, Iron, Lead, Manganese, Mercury, Nickel, Selenium, Silver, Vanadium, and Zinc. The Combined Remedial Investigation/Risk Assessment/Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department on November 3, 2010.

**National Transit (Duke Center)**, Otto Township, **McKean County**. URS Corporation, Foster Plaza 4, 501 Holiday Drive, Suite 300, Pittsburgh, PA 15220 on behalf of Pennzoil-Quaker State Company, 700 Milam, 30th Floor, Houston, TX 17022 has submitted a Remedial Investigation/Final Report concerning the remediation of site soil contaminated with anthracene, benzo[a]anthracene, benzo[a]pyrene, benzo[ghi]perylene, benzo[k]fluoranthene, n-butylbenzene, sec-butylbenzene, chrysene, cumene, cyclohexane, dibenzo[a,h]anthracene, ethylbenzene, fluoranthene, 2-methylnaphthalene, naphthalene, phenanthrene, n-propylbenzene, pyrene, toluene, 1,3,4-trimethylbenzene (1,2,4-trimethylenzene), 1,3,5-trimethylbenzene, xylenes (total) and site groundwater contaminated with benzene, n-butylbenzene, sec-butylbenzene, carbon disulfide, cumene, cyclohexane, 1,3,4-trimethylbenzene (1,2,4-trimethylenzene), 1,3,5-trimethylbenzene, xylenes (total). The Remedial Investigation/Final Report demonstrated attainment of the Site-Specific and Statewide Health Standards.

*Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**LTV Southside Parcel D3**, City of Pittsburgh, **Allegheny County**. Mr. Martin C. Knuth, Civil and Environmental Consultants, Inc. on behalf of the Urban Redevelopment Authority of Pittsburgh, 200 Ross Street, Pittsburgh, PA and Hot Metal Street Hospitality Assoc., LP, has submitted a Final Report concerning remediation of site soils on Parcel E2a of the Southside Works mixed use development that is contaminated with metals, volatiles and semi-volatiles. The Report Final was approved on November 4, 2010. An environmental covenant was executed on November 4, 2010.



### HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

#### Draft permits issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage, or Disposal Facility.

*Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701*

**PAD003043353. Cherokee Pharmaceuticals, LLC**, 100 Avenue C, Riverside, PA 17868, located in Riverside Borough, **Northumberland County**. Draft renewal permit issued on November 5, 2010 for treatment, storage and disposal of their hazardous waste. Persons interested in reviewing the draft permit may contact Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3740. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

#### DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

#### Determination of Applicability for General Permit Approved under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.

*Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.*

**General Permit Application No. WMGR081D024. ECOvanta, LLC.**, 2209 S. 58th Street, Philadelphia, PA 19143.

The general permit WMGR081D024 is for the processing (i.e., sizing, shaping, separating, and volume reduction only) of e-waste (i.e., damaged, obsolete, and/or reusable electronic devices) prior to reuse or recycling. The processing operation will be conducted at the TransRiver Philadelphia, LLC.—58th Street Transfer Station facility, located in the City of Philadelphia, **Philadelphia County**. Central Office approved the determination of applicability on November 4th, 2010.

Persons interested in reviewing the general permit may contact C. D. Vu, General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

### AIR QUALITY

#### General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 717-949-7935*

**GP9-01-03005: Wellspan—Gettysburg Hospital** (147 Gettys Street, Gettysburg, Pennsylvania 17325-2536) on October 29, 2010, to install and operate two (2) emergency generators at the Gettysburg Hospital in Gettysburg Borough, **Adams County**. The General permit was renewed.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**GP5-17-486B: EOG Resources, Inc.** (400 Southpointe Blvd, Canonsburg, PA 15317) on October 8, 2010, to construct and operate a 15 MMscf/day glycol dehydrator with a 0.375 MMBtu/hr reboiler under the General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane Or Gob Gas Production Or Recovery Facilities (BAQ-GPA/GP-5) at the PHC Compressor Station in Lawrence Township, **Clearfield County**.

**GP3-59-210A: New Enterprise Stone & Lime Co., Inc.** (P. O. Box 77, New Enterprise, PA 16664) on October 19, 2010, to construct and operate a portable non-metallic mineral crusher with associated water spray dust suppression systems pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at their Tioga Quarry in Middlebury Township, **Tioga County**.

**GP9-59-210A: New Enterprise Stone & Lime Co., Inc.** (P. O. Box 77, New Enterprise, PA 16664) on October 19, 2010, to construct and operate one Caterpillar Model C-9 diesel-fired engine with a rating of 350 brake horsepower (bhp) pursuant to the General Plan Approval and/or General Operating Permit BAQ-GPA/GP-9: Diesel or #2 fuel-fired Internal Combustion Engines at their Tioga Quarry in Middlebury Township, **Tioga County**.

**GP3-59-210B: New Enterprise Stone & Lime Co., Inc.** (P. O. Box 77, New Enterprise, PA 16664) on October 19, 2010, to construct and operate a portable non-metallic mineral crusher and a portable non-metallic mineral conveyor with associated water spray dust suppression systems pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at their Tioga Quarry located in Middlebury Township, **Tioga County**.

**GP9-59-210B: New Enterprise Stone & Lime Co., Inc.** (P. O. Box 77, New Enterprise, PA 16664) on October 19, 2010, to construct and operate one Caterpillar Model 3412 diesel-fired engine with a rating of 817 brake horsepower (bhp) pursuant to the General Plan Approval and/or General Operating Permit BAQ-GPA/GP-9: Diesel or #2 fuel-fired Internal Combustion Engines at their Tioga Quarry located in Middlebury Township, **Tioga County**.

**GP3-59-210C: New Enterprise Stone & Lime Co., Inc.** (P. O. Box 77, New Enterprise, PA 16664) on October 19, 2010, to construct and operate a portable non-metallic mineral screener and portable non-metallic mineral conveyors with associated water spray dust suppression systems pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at their Tioga Quarry located in Middlebury Township, **Tioga County**.

**GP3-17-494: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on October 19, 2010, to construct and operate a portable non-metallic

mineral jaw crusher and two portable conveyors with associated water spray dust suppression systems pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at their Pottersdale facility in Karthaus Township, **Clearfield County**.

**GP11-17-494: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on October 19, 2010, to construct and operate one Caterpillar model C-9 DITA diesel-fired engine with a rating of 300 brake horsepower (bhp) pursuant to the General Plan Approval And/Or General Operating Permit (BAQ-GPA/GP-11): Nonroad Engines at their Pottersdale facility in Karthaus Township, **Clearfield County**.

**GP3-17-494A: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on October 19, 2010, to construct and operate a portable non-metallic mineral screen with associated water spray dust suppression system pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at their Pottersdale facility in Karthaus Township, **Clearfield County**.

**GP11-17-494A: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on October 19, 2010, to construct and operate one Deutz model TCD2013L04 diesel-fired engine with a rating of 174 brake horsepower (bhp) pursuant to the General Plan Approval And/Or General Operating Permit (BAQ-GPA/GP-11): Nonroad Engines at their Pottersdale facility in Karthaus Township, **Clearfield County**.

**GP13-08-309A: Glenn O. Hawbaker, Inc.** (450 East College Avenue, Bellefonte, PA 16823) on November 2, 2010, for the construction and operation of a hot mix asphalt plant pursuant to the General Plan Approval and General Operating Permit (BAQ-GPA/GP-13): Hot Mix Asphalt Plants, at their facility located in Wyalusing Township, **Bradford County**.

**GP3-08-327: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on November 4, 2010, to construct and operate a portable non-metallic mineral horizontal feeder with associated water spray dust suppression system pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at their North Orwell facility located in Rome, Orwell and Windham Townships, **Bradford County**.

**GP9-08-327: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on November 4, 2010, to construct and operate one Caterpillar Model 3052 diesel-fired engine with a rating of 100 brake horsepower (bhp) pursuant to the General Plan Approval And/Or General Operating Permit (BAQ-GPA/GP-9): Diesel or No.2 Fuel-fired Internal Combustion Engines at their North Orwell facility located in Rome, Orwell and Windham Townships, **Bradford County**.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: Mark Gorog and Barb Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226*

**GP1-65-00921: North Side Foods Corp.** (2200 Rivers Edge Drive, Arnold, PA 15068) on November 2, 2010, to allow the continued operation of small natural gas-fired boilers and combustion units at their Arnold Plant located in Arnold City, **Westmoreland County**. This is a renewal of the GP-1 authorization.

**GP5-63-00959: Chesapeake Appalachia, LLC** (P. O. Box 18496, Oklahoma City, OK, 73154) on November 3, 2010, received authorization for operation of a natural gas production facility at the Avolio Pad Dehy in Independence Township, **Washington County**.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Mark Gorog, New Source Review Chief—Telephone: 814-332-6940*

**GP5-42-230A: East Resources Management LLC—Swamp Angel Compressor Station** (Off Route 321, Klondike, PA 16738) on November 2, 2010, for to operate a natural gas fired compressor engine (BAQ-GPA/GP-5) in Hamilton Township, **McKean County**.

**GP3-43-357A: Grove City Materials LP—Uschak Mine** (988 Harmony Road, Slippery Rock, PA 16157) on November 1, 2010, to operate of a portable nonmetallic mineral processing plant (BAQ-GPA/GP-3) in Pine Township, Mercer County and Mercer Township, **Butler County**.

**GP9-43-357B: Grove City Materials LP—Uschak Mine** (988 Harmony Road, Slippery Rock, PA 16157) on November 1, 2010, to operate a diesel or #2 fuel fired internal combustion engines (BAQ-GPA/GP-3) in Pine Township, Mercer County and Mercer Township, **Butler County**.

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**Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.**

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*Northeast Region: Air Quality Program, 2 Public Square, Wilkes Barre, PA 18711-0790*

*Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507*

**35-322-011: Alliance Sanitary Landfill, Inc.** (398 South Keyser Avenue, Taylor, PA 18517) on October 28, 2010, for landfill expansion area 2A with controls at their site in Taylor & Old Forge Boroughs, **Lackawanna County**.

**54-399-044A: Future Power PA** (72 Glenmaura National Boulevard, Moosic, PA 18507) on November 2, 2010, to construct and operate an Anthracite Coal fired IGCC (Integrated Gas Combined Cycle) plant with controls at their facility in Porter and Frailey Townships, **Schuylkill County**.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 717-949-7935*

**36-03054B: Esbenshades Greenhouses, Inc.** (546 East 28th Division Highway, Lititz, Pennsylvania 17543-9766) on November 1, 2010, to install a combined heat and power boiler system powered by biomass wood, and controlled by a multicyclone collection system at the greenhouse operation in Elizabeth Township, **Lancaster County**.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*



**08-313-004J: Global Tungsten & Powders, Corp.** (Hawes Street, Towanda, PA 18848-0504) on September 28, 2010, to construct and operate two (2) new process tanks at their facility, in North Towanda Township, **Bradford County**. The existing tanks will be replaced by the proposed tanks. The hydrogen sulfide emissions from the tanks will be controlled by the existing Ceilcote VCP-100 counter-current scrubber.

**49-00064A: Milton Regional Sewer Authority** (P. O. Box 433, Milton, PA 17847-0433) on October 20, 2010, to construct a waste water to energy plant at their Milton Regional Sewer Authority waste water treatment facility in West Chillisquaque Township and Milton Borough, **Northumberland County**.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Mark Gorog, New Source Review Chief—Telephone: 814-332-6940*

**37-307C: PSC Metals, Inc.** (5875 Landerbrook Drive, Suite 200, Mayfield Heights, OH 44124) on October 19, 2010, to modify to the exhaust capture system associated with scrap cutting activities at their facility in the City of New Castle, **Lawrence County**.

**43-182B: John Maneely Co.—Wheatland Tube Division** (One Council Avenue, P. O. Box 608, Wheatland, PA 16161-0608) on November 3, 2010, to install a zinc metallizer unit and associated dust collector at their facility in Wheatland Borough, **Mercer County**. This is a Title V facility.

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**Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.**

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*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**47-00014A: United States Gypsum Co.** (60 PPL Road, Danville PA 17821) on October 4, 2010, to extend the plan approval authorization for an additional 180 days in Derry Township, **Montour County**. The plan approval has been extended.

**47-309-001A: United States Gypsum Company** (60 PPL Road, Danville PA 17821) on September 21, 2010, to extend the plan approval authorization for an additional 180 days located in Derry Township, **Montour County**. The plan approval has been extended.

**19-317-022D: Melick Aquafeeds, Inc.** (75 Orchard Drive, Catawissa, PA 17820) on September 21, 2010, to extend the plan approval authorization for an additional 180 days in the Borough of Catawissa, **Columbia County**.

**19-00032A: Benton Area School District** (600 Green Acres Road, Benton, PA 17814) on October 4, 2010, to extend the plan approval authorization for an additional 180 days, located in Benton Borough, **Columbia County**. The plan approval has been extended.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Mark Gorog, New Source Review Chief—Telephone: 814-332-6940*

**24-131M: SGL Carbon, LLC** (900 Theresia Street, St Marys, PA 15857) on October 31, 2010, to construct a new

CVD Reactor 8 (Source 7104) and associated scrubber system (C7104), in the City of Saint Marys, **Elk County**. This is a CAM source. This is Title V facility.

**37-243F: INMETCO** (One INMETCO Drive, Ellwood City, PA 16117) on October 31, 2010, to modify plan approval 37-243D condition with regards to the CO CEM for the 156,000 acfm baghouse controlling the Rotary Hearth Furnace in Ellwood City Borough, **Lawrence County**. This is a Title V facility.

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**Title V Operating Permits Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.**

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*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 717-949-7935*

**36-05005: Wellborn Holdings, Inc.—Luxury Custom Cabinetry** (215 Diller Avenue, New Holland, Pennsylvania 17557-1611) on October 28, 2010, for their custom wood cabinetry manufacturing facility in Earl Township, **Lancaster County**. This is a renewal of the Title V Operating Permit.

**36-05081: Lancaster County Solid Waste Management Authority** (1299 Harrisburg Avenue, Lancaster, Pennsylvania 17603-2515) on November 1, 2010, for the Frey Farm/Creswell Landfill in Manor Township, **Lancaster County**. This is a renewal of the Title V Operating Permit.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**08-00003: CraftMaster Manufacturing, Inc.** (PO Box 311, Towanda, PA 18848-0311) on October 13, 2010, issued Significant Modification Title V Operating Permit for their engineered wood products manufacturing facility in Wysox Township, **Bradford County**. The revised Title V operating permit includes numerous compliance assurance monitoring CAM (40 CFR Part 64) conditions that were revised for clarification and administrative purposes. The Title V operating permit contains applicable regulatory requirements including monitoring, record-keeping and reporting conditions.

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**Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

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*Northeast Region: Air Quality Program, 2 Public Square, Wilkes Barre, PA 18711-0790*

*Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507*

**48-00088: Greenstar Allentown LLC** (799 Smith Lane, Northampton, PA 18067) on November 4, 2010, to operate a glass recycling and processing facility in Northampton Borough, **Northampton County**.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 717-949-7935*

**06-05094: Reading Alloys, Inc.** (Old West Penn Avenue, PO Box 53, Robesonia, PA 19551) on November 2,

2010, for the specialty alloy manufacturing facility in South Heidelberg Township, **Berks County**. This is a renewal of the State Only Operating permit.

**36-05111: Lippert Components, Inc.—Denver** (2703 College Avenue, Goshen, Indiana 46528-5035) on November 3, 2010, for the chassis production facility in Brecknock Township, **Lancaster County**. This is a renewal of the State Only Operating permit.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**12-00010: Pennsylvania Sintered Metals, Inc.—d/b/a PSM Brown Co.** (2950 Whittimore Road, PO Box 308, Emporium, PA 15834-2032) on October 14, 2010, issued a state only operating permit for their facility in Emporium Borough, **Cameron County**. The facility's sources include three electric-fired sintering furnaces, a sizing operation and a parts washer. The potential emission of all air contaminants are below their respective major emission thresholds. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**14-00031: Glenn O. Hawbaker** (711 East College Avenue, Bellefonte, PA 16823-6854) on October 14, 2010, reissued a state only (synthetic minor) operating permit for their facility in Rush Township, **Centre County**. The facility's sources include primary, secondary and tertiary crushing operations, which have the potential to emit major quantities of PM-10. The facility has taken an elective yearly restriction not to exceed the major threshold for PM-10. The state only (synthetic minor) operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**17-00039: Clearfield County SPCA** (541 Graham Station Road, Philipsburg, PA 16866-8107) on October 14, 2010, issued a state only operating permit for their facility in Decatur Township, **Clearfield County**. The facility's sources include one animal crematory incinerator. The potential emission of all air contaminants are below their respective major emission thresholds. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**08-00034: Chief Gathering, LLC** (6051 Wallace Road, Ext. Suite 210, Wexford, PA 15090) on October 19, 2010, issued a State Only (Synthetic Minor) operating permit for their Cuddy Compressor Station in Monroe Township, **Bradford County**. The facility's main air contaminant sources include five natural gas-fired compressor engines, three of which are equipped with oxidation catalysts, and three glycol dehydration units. The State Only (Synthetic Minor) operating permit contains requirements including monitoring, recordkeeping and reporting conditions to ensure compliance with applicable Federal and State regulations.

**08-00035: Chief Gathering, LLC** (6051 Wallace Road Ext. Suite 210, Wexford, PA 15090) on October 19, 2010, issued a State Only (Synthetic Minor) operating permit for their God Compressor Station in Monroe Township, **Bradford County**. The facility's main air contaminant sources include five natural gas-fired compressor engines, three of which are equipped with oxidation catalysts, and two glycol dehydration units. The State Only (Synthetic Minor) operating permit contains requirements including

monitoring, recordkeeping and reporting conditions to ensure compliance with applicable Federal and State regulations.

**49-00012: Northumberland Terminals Corp.** (PO Box 2621, Harrisburg, PA 17105-2621) on October 14, 2010, issued State Only Operating Permit 49-00012 for their bulk gasoline terminal in Point Township, **Northumberland County**. This site's main air contaminant sources include gasoline loading rack, and bulk terminal gasoline tanks. The State Only operating permit contains requirements including monitoring, recordkeeping and reporting conditions to ensure compliance with applicable Federal and State regulations.

**17-00045: Pennsylvania Department of Corrections** (P. O. Box 1000, Houtzdale, PA 16698-1000) on October 18, 2010, issued a State Only (Synthetic Minor) operating permit for their Houtzdale Correctional Institution in Woodward Township, **Clearfield County**. The facility's sources include one (1) bituminous coal/#2 fuel oil-fired boiler, two (2) #2 fuel oil-fired boilers, two (2) emergency generators and lime and ash silos, which have the potential to emit major quantities of nitrogen oxides (NO<sub>x</sub>) and sulfur oxide (SO<sub>x</sub>) emissions. The facility has taken an elective throughput restriction not to exceed the major threshold for NO<sub>x</sub> and SO<sub>x</sub>. The facility has the potential to emit carbon monoxide (CO), volatile organic compounds (VOCs), volatile hazardous air pollutants (VHAPs) and particulate matter (PM/PM<sub>10</sub>) below the major emission thresholds. The proposed State Only (Synthetic Minor) operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**17-00054: Forcey Coal, Inc.** (PO Box 225, Madera, PA 17830) on October 14, 2010, issued a State only operating permit for their coal processing facility in Bigler Township, **Clearfield County**. The facilities sources includes one (1) coal crusher with integral screener and two (2) belt conveyors, one (1) secondary impact crusher/screener powered by a diesel-fired engine, one (1) screener powered by a gasoline-fired engine. The State Only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping, and report conditions.

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**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

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*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 717-949-7935*

**67-05095: Osram Sylvania, Inc.—York Base Plant** (1128 Roosevelt Avenue, York, PA 17404-2348) on October 29, 2010, for their electric components manufacturing facility in West Manchester Township, **York County**. This permit was administratively amended to reflect a change in the company name. This is Revision 1 of the permit.

**01-05006: RRI Energy Mid Atlantic Power Holdings, LLC—Orrtanna** (121 Champion Way, Suite 200, Canonsburg, Pennsylvania 15317-5817) on October 27, 2010, for the electrical peaking station in Highland Township, **Adams County**. This permit was administra-

tively amended to reflect a change in the permit contact. This is Revision 1 of the permit.

**01-05004: RRI Energy Mid Atlantic Power Holdings, LLC—Hamilton** (121 Champion Way, Suite 200, Canonsburg, Pennsylvania 15317-5817) on October 27, 2010, for the electrical peaking station in Hamilton Township, **Adams County**. This permit was administratively amended to reflect a change in the permit contact. This is Revision 1 of the permit.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**49-00007: Cherokee Pharmaceuticals, LLC.** (PO Box 367, Riverside, PA 17868), issued a revised Title V operating permit on November 8, 2010 for the pharmaceutical production facility located in Riverside Borough, **Northumberland County**. This permit revision incorporates the change of ownership from Cherokee Pharmaceuticals, LLC (wholly-owned subsidiary of PRWT Life Sciences Company) to a wholly-owned subsidiary of Merck Sharp & Dohme Corp., Cherokee Pharmaceuticals LLC.

The Title V operating permit contains applicable requirements including monitoring, recordkeeping and reporting conditions to ensure compliance with Federal and State Regulation.

**De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.**

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Matthew Williams, New Source Review Chief—Telephone: 814-332-6940*

**42-00158: Temple Inland—Mt Jewett Complex** (149 Temple Drive, Kane, PA 16735) for their facility in Sergeant Township, **McKean County**. The De minimis emission increase is for the construction of sawing equipment as part of Source 112. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 Pa. Code 127.449(i). This list includes the De minimis emission increases since the facility Operating Permit issuance on October 2, 2006.

Date	Source	PM10 (tons)	SOx (tons)	NOx (tons)	VOC (tons)	CO (tons)
11/2/10	Sawing equipment	0.0858				
Total Reported Increases		0.0858				
Allowable		0.6 ton/source 3 tons/facility	1.6 tons/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

**ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).**

*Coal Permits Actions*

*California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100*

**30841307 and NPDES Permit # PA0213438, Emerald Coal Resources, LP,** (P. O. Box 1020, 158 Portal Road, Waynesburg, PA 15370), to revise the permit for the

**Emerald Mine No. 1** in Franklin Township, **Greene County** and related NPDES permit to install the No. 8 Bleeder Shaft Facility and add a new NPDES discharge point. Surface Acres Proposed 61.0. Receiving stream: Unnamed tributary to Toll Gate Run, classified for the following use: WWF, Application received: April 20, 2009. Permit issued: November 2, 2010.

**32841303 and NPDES Permit # PA0001775, Helvetia Coal Company,** (P. O. Box 219, Shelocta, PA 15774), to revise the permit for the Lucerne Mine #6 in Center and Blacklick Townships, **Indiana County** to add surface acres to upgrade the seep collection system and include existing outfall 001 discharge pipe in the permit area and to correct permit boundary mapping discrepancy. Surface Acres Proposed 3.0. No additional discharges. Application received: April 10, 2009. Permit issued: November 2, 2010.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900*

**32100101 and NPDES No. PA0262978. Amerikohl Mining, Inc.,** 1384 State Route 711, Stahlstown, PA 15687, commencement, operation and restoration of a bituminous surface and auger mine in West Wheatfield Township, **Indiana County**, affecting 117.0 acres. Receiving stream(s): unnamed tributaries of West Branch of Richards Run and unnamed tributaries of East Branch of Richards Run to Richards Run to the Conemaugh River classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10



miles downstream. Application received: February 11, 2010. Permit issued: November 1, 2010.

**32100101. NPDES No. PA0262978 and General Permit GP-12-32100101, Amerikohl Mining, Inc.,** 1384 SR 711, Stahlstown, PA 15687, revision of an existing bituminous coal mining site to obtain coverage for coal processing under air quality general permit GP-12 in West Wheatfield Township, **Indiana County**, affecting 56.3 acres. Receiving stream(s): Richards Run West Branch and Richards Run East Branch classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: March 16, 2010. Permit issued: November 1, 2010.

**56000105 and NPDES No. PA0235351. Hoffman Mining, Inc.,** P. O. Box 130, 118 Runway Road, Friedens, PA 15541, permit renewal for reclamation only of a bituminous surface and auger mine in Shade Township, **Somerset County**, affecting 76.6 acres. Receiving stream(s): unnamed tributaries to/and Dark Shade Creek classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: September 3, 2010. Permit issued: November 4, 2010.

**56000105 and NPDES No. PA0235351. Hoffman Mining, Inc.,** P. O. Box 130, 118 Runway Road, Friedens, PA 15541, permit renewal for reclamation only of a bituminous surface and auger mine in Shade Township, **Somerset County**, affecting 76.6 acres. Receiving stream(s): unnamed tributaries to/and Dark Shade Creek classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: September 3, 2010. Permit issued: November 4, 2010.

*Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191*

**16050106 and NPDES Permit No. PA0242675. Timothy A. Keck** (93 Carrier Street, Summerville, PA 15864) Renewal of an existing bituminous strip and auger operation in Redbank Township, **Clarion County** affecting 224.0 acres. Receiving streams: Unnamed tributary to Pine Creek and Pine Creek. Application received: August 26, 2010. Permit Issued: November 3, 2010.

**10040103 and NPDES Permit No. PA0242535. Anandale Quarries, Inc.** (219 Goff Station Road, Boyers, PA 16020) Renewal of an existing bituminous strip operation in Venango Township, **Butler County** affecting 23.3 acres. Receiving streams: Seaton Creek. This renewal is issued for reclamation only. Application received: September 15, 2010. Permit Issued: November 4, 2010.

**33080105 and NPDES Permit No. PA0258547. Original Fuels, Inc.** (P. O. Box 343, Punxsutawney, PA 15767) Revision to an existing bituminous strip operation to add 2.0 acres in Perry & Young Townships, **Jefferson County** affecting 432.0 acres. Receiving streams: Three unnamed tributaries to Mahoning Creek. Application received: August 2, 2010. Permit Issued: November 4, 2010.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118*

**54850101R5 and NPDES Permit No. PA0614424. Schuylkill Reclamation Corp.,** (10 Gilberton Road, Gilberton, PA 17934), renewal of an existing anthracite surface mine and refuse reprocessing operation in Mahanoy Township, **Schuylkill County** affecting 61.0

acres, receiving stream: Mahanoy Creek. Application received: January 8, 2010. Renewal issued: November 2, 2010.

*Noncoal Applications Returned*

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200*

**08092812. Jerry L. Johnson** (RR 1 Box 179A-1 Wyalusing, PA 18853) Commencement, operation, and restoration of an existing small noncoal (flagstone) permit located in Asylum Township, **Bradford County**, affecting 5.0 total acre(s). This was an upgrade from 2,000 tons per year to 10,000 tons per year. Receiving stream(s): Durell Creek and Susquehanna River. Application received: September 30, 2010. Application returned: October 29, 2010.

*Noncoal Permits Actions*

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118*

**58100805. Edward F. Yachymiak,** (9720 N. Weston Road, Kingsley, PA 18826-7223), commencement, operation and restoration of a quarry operation in Brooklyn Township, **Susquehanna County** affecting 2.0 acres, receiving stream: none. Application received: May 13, 2010. Permit issued: November 3, 2010.

**ABANDONED MINE RECLAMATION  
ACT 181 ONLY**

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg PA 15931, Telephone 814-472-1900*

Bond Forfeiture Reclamation	PBF 56803014.4
Contract Awarded	
Location	Summit Township Somerset County Pennsylvania
Description	Act 181 Bond Forfeiture Reclamation Project Delta Mining—Bashore Site SMP# 56803014
Contractor	Quality Aggregates, Inc. 4955 Steubenville Pike, Suite 245 Pittsburgh, PA 15205
Amount	\$378,912.00
Date of Award	November 1, 2010

**ACTIONS ON BLASTING ACTIVITY  
APPLICATIONS**

**Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

*Blasting Permits Actions*

*Greensburg District Mining Office: Armbrust Professional Center, 8205 Route 819, Greensburg, PA 15601, 724-925-5500*

**30104008. Del Rick Corp.** (P. O. Box 693, Tazewell, VA 24651). Blasting activity permit for seismic drilling of the GH-35 ABC Drilling Pit, located in Center Township,



**Greene County.** The duration of blasting is expected to last one year. Blasting permit issued: November 4, 2010.

*Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191*

**33104005. Appalachian Geophysical Services, LLC** (2659 State Route 60, P. O. Box 426, Killbuck, OH 44637) Blasting Activity Permit to conduct seismic exploration in Snyder & Horton Townships, **Jefferson & Elk Counties.** This blasting activity permit will expire on November 15, 2010. Application received: October 26, 2010. Permit Issued: November 4, 2010.

**24104019. Appalachian Geophysical Services, LLC** (2659 State Route 60, P. O. Box 426, Killbuck, OH 44637) Blasting Activity Permit to conduct seismic exploration in Horton & Snyder Townships, **Elk & Jefferson Counties.** This blasting activity permit will expire on November 15, 2010. Application received: October 26, 2010. Permit Issued: November 4, 2010.

**24104020. Appalachian Geophysical Services, LLC** (2659 State Route 60, P. O. Box 426, Killbuck, OH 44637) Blasting Activity Permit to conduct seismic exploration in Horton Township, **Elk County.** This blasting activity permit will expire on November 15, 2010. Application received: October 29, 2010. Permit Issued: November 4, 2010.

**24104021. Appalachian Geophysical Services, LLC** (2659 State Route 60, P. O. Box 426, Killbuck, OH 44637) Blasting Activity Permit to conduct seismic exploration in Horton Township, **Elk County.** This blasting activity permit will expire on November 15, 2010. Application received: October 29, 2010. Permit Issued: November 4, 2010.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200*

**14104014. Geokinetics** (P. O. Box 309, Clearfield, PA 16830). Seismic exploration blasting located in Snow Shoe and Rush Townships, Centre County and Cooper and Burnside Townships, **Clearfield County.** Permit issued: October 27, 2010. Permit expires: November 30, 2011.

**57104002. Doug Wathen, LLC** (16208 State Highway 13, Suite 100, Branson West, MO 65616). Blasting for a gas well located in Fox Township, **Sullivan County.** Permit issued: October 27, 2010. Permit expires: August 25, 2011.

**57104003. Doug Wathen, LLC** (16208 State Highway 13, Suite 100, Branson West, MO 65616). Blasting for a gas well located in Elkland Township, **Sullivan County.** Permit issued: October 27, 2010. Permit expires: August 25, 2011.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118*

**36104165. Maine Drilling & Blasting,** (P. O. Box 1140, Gardiner, ME 04345), construction blasting for ITT Project in East Hempfield Township, **Lancaster County** with an expiration date of October 2, 2011. Permit issued: November 1, 2010.

**38104117. Keystone Blasting Service,** (15 Hopeland Road, Lititz, PA 17543), construction blasting for Farmer Boy Ag in Myerstown Borough, **Lebanon County** with an expiration date of December 30, 2010. Permit issued: November 1, 2010.

**38104118. Keystone Blasting Service,** (15 Hopeland Road, Lititz, PA 17543), construction blasting for Dennis Martin Appliance in Jackson Township, **Lebanon**

**County** with an expiration date of December 30, 2010. Permit issued: November 1, 2010.

**46104117. American Rock Mechanics, Inc.,** (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for General Hancock Townhomes in Montgomery Township, **Montgomery County** with an expiration date of September 22, 2011. Permit issued: November 2, 2010.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

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**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.**

*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

### WATER OBSTRUCTIONS AND ENCROACHMENTS

*Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, Telephone 570-826-2511.*

**E66-150. Pennsylvania Department of Transportation, Engineering District 4-0,** 55 Keystone Industrial

Park, Dunmore, PA 18512. Clinton and Lemon Townships, **Wyoming County**, Army Corps of Engineers Baltimore District.

To remove the existing structure; to construct and maintain a two-span, pre-stressed concrete bulb-tee beam bridge having a total normal clear span of 161 feet and an underclearance of 20.3 feet over Tunkhannock Creek (TSF, MF) approximately 35 feet upstream of the existing bridge; and to construct and maintain approximately 215 feet of bank stabilization utilizing R-6 rock and timber cribbing. The project is located just northeast of the intersection of SR 1010 (Tunnel Hill Road) and SR 92 (Factoryville, PA Quadrangle Latitude: 41°35'34"; Longitude: -75°51'29").

*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 717-705-4707.*

**E38-169: Pennsylvania Department of Transportation, Engineering District 8-0**, 2140 Herr Street, Harrisburg, PA 17103, North Cornwall Township, **Lebanon County**, ACOE Baltimore District

To construct and maintain a non-jurisdictional dam, approximately 1,866.0 feet long by 10.0 feet wide and 3.0 feet high, in the floodplain of Snitz Creek (TSF), its associated floodway and PEM wetlands, having a permanent wetland impact of 0.01 acre, for the purpose of creating 5.0 acres of wetlands on the south side of Oak Street on the right floodplain of Snitz Creek (Lebanon, PA Quadrangle N: 9.5 inches; W 6.75 inches, Latitude 40°19'23"; Longitude 76°27'2") in North Cornwall Township, Lebanon County. The applicant is required to replace 0.01 acre of PEM wetland. The wetland will be replaced at the site through creation of additional wetlands.

**E67-877: PennDOT Engineering District 8-0**, 2140 Herr Street, Harrisburg, PA 17103-1699, ACOE Baltimore District

To remove the existing structure and to construct and maintain a 60.0-foot long, 1.0-foot depressed with baffles, 15.0-foot x 5.0-foot reinforced concrete box culvert in an unnamed tributary to Kreutz Creek (WWF, MF) with concrete wing walls and depressed rip rap aprons extending 5.0 feet upstream and 5.0 feet downstream for the purpose of improving safety standards. The project is located on Springwood Road (SR 2017) approximately 2,200 feet south of East Market Street (SR 0426) (York, PA Quadrangle N:20.2 inches; W:1.2 inches, Latitude

39°59'13"; Longitude: -76°38'02") in Springettsbury Township, York County. To remove the existing structure and to construct and maintain a 96.0-foot long, 1.0-foot depressed with baffles, 9.0-foot x 5.5-foot reinforced concrete box culvert in an unnamed tributary to Kreutz Creek (WWF, MF) with concrete wing walls and depressed rip rap aprons extending 5.0 feet upstream and 5.0 feet downstream for the purpose of improving safety standards. The project is located on Springwood Road (SR 2017) at its intersection with Graywood Drive (York, PA Quadrangle N:19.2 inches; W:1.1 inches, Latitude 39°58'53"; Longitude: -76°37'57") in Springettsbury Township, York County. To construct and maintain an endwall with rock protection around an existing 33.0-inch by 49.0-inch outfall, along an unnamed tributary to Kreutz Creek (WWF, MF) (York, PA Quadrangle N:20.2 inches; W:1.2 inches, Latitude 39°59'13"; Longitude: -76°38'02") in Springettsbury Township, York County.

*Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636*

**E18-458. James M. Yeager**, 100 Pennsylvania Avenue, Mill Hall, PA 17751-1822. Yeager Residence Fence, in Mill Hall Borough, **Clinton County**, ACOE Baltimore District (Mill Hall, PA Quadrangle, N: 41° 6' 36.56"; W: 77° 29' 2.07").

To construct and maintain 261 linear feet of 42-inch high wooden picket fence around his residential yard for: 1) the safety of his child and pets, 2) improved site distance after removing 5-6 foot high hedges at the intersection of Lumber Alley and Pennsylvania Avenue. The site is located in the northern corner of Lumber Alley and Grove Alley. This permit was issued under Section 105.13(e) "Small Projects."

**E41-610. Anadarko Marcellus Midstream, LLC**, PO Box 1330, Houston, Texas, 77251. Larry's Creek Pipeline, in Cummings and Mifflin Townships, **Lycoming County**, ACOE Baltimore District (Waterville, PA Quadrangle Latitude: 41-19-26; Longitude: 77-15-33).

To construct, operate and maintain 17, 176 linear foot pipelines containing 7 stream crossings and 2 wetland crossings in the Exceptional Value watersheds of Harbor Run and Unnamed Tributaries to the Second Fork of Larry's Creek. Crossing number 7 and number 8 will be directionally drilled while the others are authorized to be open cut. The following chart details the crossings and their locations:

Cross #	Crossing Method	Stream or Wetland Name	Stream or Wetland	Chap. 93	Wild Trout	Latitude (NAD 83)	Longitude (NAD 83)	Length of Impact (ft)	Area of Stream Impact (sq ft)	Area of Wetland Temp. Impact
1	Avoid	UNT Harbor Run	S & W	EV	Y	41.319506	-77.258502	N/A	N/A	N/A
2	Trench Pipeline, Avoid with Access	Harbor Run	S & W	EV	Y	41.321994	-77.259316	10	15	93 sq ft
3	Avoid	UNT Second Fork Larry's Creek	S	EV	Y	41.327154	-77.259331	N/A	N/A	N/A

<i>Cross #</i>	<i>Crossing Method</i>	<i>Stream or Wetland Name</i>	<i>Stream or Wetland</i>	<i>Chap. 93</i>	<i>Wild Trout</i>	<i>Latitude (NAD 83)</i>	<i>Longitude (NAD 83)</i>	<i>Length of Impact (ft)</i>	<i>Area of Stream Impact (sq ft)</i>	<i>Area of Wetland Temp. Impact</i>
4	Trench Pipeline, Temp. Access Road	UNT Second Fork Larry's Creek	S	EV	Y	41.330625	-77.259704	76	456	N/A
5	Trench Pipeline, Temp. Access Road	UNT Second Fork Larry's Creek	S	EV	Y	41.330921	-77.259719	42	84	N/A
6	Trench Pipeline, Temp. Access Road	UNT Second Fork Larry's Creek	S	EV	Y	41.331390	-77.259741	53	318	N/A
7	HDD Pipeline, Avoid with Access	UNT Second Fork Larry's Creek	S & W	EV	Y	41.333310	-77.259760	N/A	N/A	N/A
8	HDD Pipeline, Avoid with Access	UNT Second Fork Larry's Creek	S	EV	Y	41.335461	-77.260220	N/A	N/A	N/A

This project begins at Larry's Creek Well Pad "A" and "B" on Henson Ridge and traverses south to a terminal valve site located along Puterbaugh Mountain (Salladasburg, PA Quadrangle, Begin Latitude: 41-20-3.41; Longitude: 77-16-5.51; and Ending Latitude: 41-18-32.78; Longitude: 77-14-47.47) Cummings and Mifflin Townships, Lycoming County. This permit also includes 401 Water Quality Certification.

**E53-436. Dominion Transmission, Inc.**, 5049 Route 349, Westfield, PA 16950-9659. Dominion Transmission Harrison Storage 2010 Pipeline Replacement Project in Harrison Township, **Potter County**, ACOE Baltimore District (Harrison Valley, PA Quadrangle Latitude: 41° 58' 14"; Longitude: 77° 42' 01").

Dominion Transmission, Inc. proposes to replace, operate and maintain 26,000-feet of its natural gas transmission pipeline for it Harrison Valley Storage Field Facility requiring encroachment of the following of twenty four (24) wetlands and ten (10) stream crossings:

<i>Permit ID</i>	<i>Activity</i>	<i>Resource</i>	<i>Water Quality</i>	<i>Latitude</i>	<i>Longitude</i>
HP-1A3	Pipeline Crossing	Wetland to North Branch Cowanesque	CWF	41° 58' 40"	77° 41' 09"
HP-1A4	Pipeline Crossing	Wetland to North Branch Cowanesque	CWF	41° 58' 40"	77° 41' 90"
HP-1B	Pipeline Crossing	Wetland to North Branch Cowanesque	CWF	41° 58' 36"	77° 41' 14"
HP-1C	Pipeline Crossing	Wetland to Marsh Creek Tributary	CWF	41° 58' 36"	77° 42' 13"
HP1/4	Pipeline Crossing	Wetland to Marsh Creek Tributary	CWF	41° 58' 07"	77° 42' 18"
HP1/4	Pipeline Crossing	Wetland to Unnamed Tributary	CWF	41° 58' 40"	77° 41' 09"
HP-15A	Pipeline Crossing	Wetland to Marsh Creek	CWF	41° 57' 54"	77° 42' 30"

## NOTICES

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<i>Permit ID</i>	<i>Activity</i>	<i>Resource</i>	<i>Water Quality</i>	<i>Latitude</i>	<i>Longitude</i>
HP-15B	Pipeline Crossing	Wetland to Marsh Creek	CWF	41° 57' 53"	77° 42' 31"
HP-15C	Pipeline Crossing	Wetland to Marsh Creek	CWF	41° 57' 49"	77° 42' 32"
HP-15D	Pipeline Crossing	Wetland to Marsh Creek	CWF	41° 57' 46"	77° 42' 33"
HP-15E2	Pipeline Crossing	Wetland to Marsh Creek	CWF	41° 57' 53"	77° 42' 32"
HP-15E1	Pipeline Crossing	Wetland to Marsh Creek	CWF	41° 57' 44"	77° 42' 32"
HP-15F	Pipeline Crossing	Wetland to Marsh Creek	CWF	41° 57' 40"	77° 42' 33"
HP34A	Pipeline Crossing	Wetland to Marsh Creek Tributary	CWF	41° 58' 09"	77° 41' 59"
HP-34B	Pipeline Crossing	Wetland to Marsh Creek Tributary	CWF	41° 57' 57"	77° 41' 54"
HP-34C	Pipeline Crossing	Wetland to Marsh Creek Tributary	CWF	41° 58' 06"	77° 41' 57"
HP-34D	Pipeline Crossing	Wetland to Marsh Creek Tributary	CWF	41° 58' 01"	77° 41' 55"
HP34-E	Pipeline Crossing	Wetland to Marsh Creek Tributary	CWF	41° 57' 54"	77° 41' 54"
HP-54A	Pipeline Crossing	Wetland to Marsh Creek Tributary	CWF	41° 57' 53"	77° 41' 53"
HP-34F	Pipeline Crossing	Wetland to Marsh Creek Tributary	CWF	41° 57' 52"	77° 41' 54"
HP-34G	Pipeline Crossing	Wetland to Marsh Creek Tributary	CWF	41° 57' 49"	77° 41' 58"
HP-35A	Pipeline Crossing	Wetland to Marsh Creek Tributary	CWF	41° 58' 05"	77° 42' 02"
HP-35B	Pipeline Crossing	Wetland to Marsh Creek Tributary	CWF	41° 58' 06"	77° 44' 00"
HP54A	Pipeline Crossing	Wetland to Marsh Creek Tributary	CWF	41° 58' 09"	77° 41' 59"
HP-1	Pipeline & Temporary Road	North Branch Cowanesque	CWF	41° 58' 39"	77° 41' 09"
HP-1A	Pipeline & Temporary Road	Tributary to North Branch Cowanesque	CWF	41° 58' 36"	77° 41' 14"
HP-1B	Pipeline & Temporary Road	Tributary to Marsh Creek	CWF	41° 58' 11"	77° 42' 12"
HP-1C	Pipeline & Temporary Road	Tributary to Marsh Creek	CWF	41° 58' 10"	77° 42' 13"
HP-1D	Pipeline & Temporary Road	Tributary to Marsh Creek	CWF	41° 58' 10"	77° 42' 14"
HP-1E	Pipeline & Temporary Road	Tributary to Marsh Creek	CWF	41° 58' 10"	77° 42' 16"
HP-1A	Pipeline & Temporary Road	Unnamed Tributary	CWF	41° 58' 07"	77° 42' 18"
HP-15	Pipeline & Temporary Road	Marsh Creek	CWF	41° 57' 43"	77° 42' 33"
HP-34A	Pipeline	Tributary to Marsh Creek	CWF	41° 58' 04"	77° 41' 56"
HP-34B	Pipeline	Tributary to Marsh Creek	CWF	41° 58' 03"	77° 41' 56"



Replacement of the gas transmission pipelines shall be accomplished in dry stream work conditions by dam and pumping or fluming stream flow around work areas. The project is located along the western right-of-way of SR 1019 approximately 2.4-miles north of SR 0049 and SR 1019 intersection.

**E59-502. East Resources Management LLC;** 190 Thorn Hill Road, Warrendale, PA 15086-7528; Charleston Township, **Tioga County**, ACOE Baltimore District.

To construct, operate, and maintain: (1) A 50-foot steel pre-fabricated bridge, which replaces an existing stone abutment and wood deck structure, impacting 13 feet over Catlin Hollow (TSF) (Crooked Creek, PA Quadrangle; Latitude 41° 46' 14.09" N, Longitude -77° 14' 31.65"). (2) a 60-inch x 60-foot HDPE Culvert, impacting 300 square feet within Unnamed Tributary to Catlin Hollow (TSF) (Crooked Creek, PA Quadrangle; Latitude 41° 46' 18.81" N, Longitude -77° 14' 33.44") all for the purpose of providing access to the Lopatofsky Unit #287 Marcellus Shale Natural Gas Well Site.

*Southwest Region: Watershed Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**E11-335A1 Robert J. Woloschuk,** 317 Park Hill Drive, Park Hill, PA 15945. To relocate and maintain an existing concrete manhole in East Taylor Township, **Cambria County**, Pittsburgh ACOE District. (Geistown, PA Quadrangle: North: 20.1"; West: 17.3"; Latitude: 40° 21' 46" and Longitude: 78° 52' 26"). To relocate and maintain an existing concrete manhole approximately 10' west of its current location, and to excavate, and replace (as necessary) the lower portion of an existing 24" diameter stream enclosure and the upper portion of an existing 36" diameter stream enclosure, to operate and maintain the remaining approximately 230 feet with the 36" diameter stream enclosure, to extend the 24" diameter enclosure approximately 20' to connect that enclosure to the relocated manhole, and to make adjustments in the slope, depth and alignment of both enclosure necessary to allow water to flow freely, all on an unnamed tributary to the Little Conemaugh River (CWF). The project is located approximately 225' west of State Route 271, approximately one mile southeast of Hinckston Dam in East Taylor Township, Cambria County.

*Northeast Region: Bureau of Abandoned Mine Reclamation, Wilkes-Barre District Office, 2 Public Square, 5th Floor, Wilkes-Barre, PA 18711-0790, 570-826-2371.*

**E3511-003: Bureau of Abandoned Mine Reclamation,** Wilkes-Barre District Office. Jessup Cemetery Channel Repair Project in Jessup Borough, **Lackawanna County**, ACOE Baltimore District, Olyphant PA Quadrangle N: 17.50 inches; W: 8.20 inches

To perform the following water obstruction and encroachment activities associated with abandoned mine discharge treatment.

This project will consist of the maintenance repair of a channel that was listed as an AML feature #03 and reclaimed as part of a larger OSM project in 2004. Several heavy rain events flooded through the channel and reshaped the channel by cutting through the flood plain. The work will be performed in the channel and partly along the flood plain that was formed as part of the prior reclamation effort. The previous OSM project reshaped the stream into a natural meandering layout with a flood plain on both sides. There are no openings or possible bat habitats affected by the reconstruction work which is inside the original project limits.

The project will cover about 2 acres including the channel and floodplain repair. The channel will be lined with riprap and the floodplain will be graded and seeded for use in time of flooding.

#### ENVIRONMENTAL ASSESSMENTS

*Cambria District: Environmental Program Manager, 286 Industrial Park Rd, Ebensburg, PA 15931-4119.*

**EA3309-002. Pennsylvania Department of Environmental Protection,** Bureau of Abandoned Mine Reclamation, Cambria Office, 286 Industrial Park Road, Ebensburg, PA 15931. Abandoned Mine Land Reclamation Project, in Clover Township, **Jefferson County**, Pittsburgh ACOE District.

The applicant proposes to backfill an abandoned surface mine, which includes a total of 3,950 linear feet of dangerous highwalls. The project will include the backfilling of 0.73 acres of PEM wetlands that have developed within the open surface mine pits. Of the 0.73 acres, 0.6 acres are AMD-impacted. The applicant will construct 0.13 acres of replacement wetland. (Portersville Quadrangle N: 12.0 inches, W: 16.0 inches).

#### DAM SAFETY / LIMITED POWER

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**Actions on applications filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); section 302 of the Flood Plain Management Act (32 P. S. § 679.302); sections 5 and 402 of The Clean Streams Law (35 P. S. §§ 691.5 and 691.402); the Limited Power Act; and notice of final action for certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).**

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Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should contact a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

**JOINT PERMIT**

*Oil & Gas Management—SWRO—400 Waterfront Drive, Pittsburgh, PA 15222*

[Permit # E26-07-001]. Longfellow Energy, LP, 4801 Gaillardia Parkway, Suite 225, Oklahoma City, OK 73142. To construct natural gas pipeline (Donegal South Pipeline) extending approximately 16.5 miles from a natural gas lease area to an existing transmission line in Donegal Township, Westmoreland County, and Saltlick and Springfield Townships, Fayette County, Pittsburgh ACOE District, State Water Plan Basin 19-E, (Donegal, Seven Springs, and Mill Run, PA Quadrangle; Start at N 22.66 inches; W 11.68 inches; Latitude: N 40° 7' 28.16"; Longitude: W 79° 20' 0.19" on the Seven Springs, PA Quadrangle; End at N 11.06 inches; W 8.30 inches; Latitude: N 39° 56' 8.04"; Longitude: W 79° 26' 3.09"), on the Mill Run, PA Quadrangle. The applicant proposes to construct a natural gas pipeline from lease areas in Donegal Township, Westmoreland County to an existing transmission line in Springfield Township, Fayette County. In addition, seventy-one (71) wetland and forty-one (41) stream crossings are necessary along the approximately 16.5 mile pipeline. This project is proposed to temporarily impact wetlands, both exceptional value (EV) and other wetlands including PEM, PSS, and PFO wetlands totaling approximately 2.7 acres within the pipeline right-of-way and temporarily impact numerous named and unnamed tributaries to Indian Creek (CWF and HQ-CWF) totaling approximately 2,241 linear feet of stream.

**EROSION AND SEDIMENT CONTROL**

<i>ESCGP -1 No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
61 10 8 01	Tennessee Gas Pipeline Co Compressor Stn 303 Meadow Church Road Cranberry PA 16346	Venango	Cranberry Township	Halls Run / East Sandy creek CWF

[Pa.B. Doc. No. 10-2206. Filed for public inspection November 19, 2010, 9:00 a.m.]

**DEPARTMENT OF HEALTH**

**Application of Advanced Surgical Hospital for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Advanced Surgical Hospital has requested an exception to the requirements of 28 Pa. Code § 101.172 (relating to patient limits).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

*Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL K. HUFF, R.N.,  
*Acting Secretary*

[Pa.B. Doc. No. 10-2207. Filed for public inspection November 19, 2010, 9:00 a.m.]

**Application of American Access Care for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that American Access Care has requested an

exception to the requirement of 28 Pa. Code § 569.35 (relating to general safety precautions).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

The facilities are requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL K. HUFF, R.N.,  
*Acting Secretary*

[Pa.B. Doc. No. 10-2208. Filed for public inspection November 19, 2010, 9:00 a.m.]

### Application of Carlisle Regional Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Carlisle Regional Medical Center has requested an exception to the requirements of 28 Pa. Code § 119.22 (relating to referral).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL K. HUFF, R.N.,  
*Acting Secretary*

[Pa.B. Doc. No. 10-2209. Filed for public inspection November 19, 2010, 9:00 a.m.]

### Application of Clearfield Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Clearfield Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to

minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 2.1.3.1 (relating to diagnostic and treatment locations space requirements).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

MICHAEL K. HUFF, R.N.,  
*Acting Secretary*

[Pa.B. Doc. No. 10-2210. Filed for public inspection November 19, 2010, 9:00 a.m.]

### Application of Digestive Health and Endoscopy Center, Inc. for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Digestive Health and Endoscopy Center, Inc. has requested an exception to the requirements of 28 Pa. Code § 555.31(a) (relating to principle).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers, or for speech and/or



hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL K. HUFF, R.N.,  
*Acting Secretary*

[Pa.B. Doc. No. 10-2211. Filed for public inspection November 19, 2010, 9:00 a.m.]

### Application of Dubois Regional Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Dubois Regional Medical Center has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 3.1-7.2.2.1 (relating to corridor width), 3.1-7.2.2.3(b) (relating to width of door openings) and 3.1-3.2.4.2 (relating to examination and treatment rooms).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

MICHAEL K. HUFF, R.N.,  
*Acting Secretary*

[Pa.B. Doc. No. 10-2212. Filed for public inspection November 19, 2010, 9:00 a.m.]

### Application of Elmwood Endoscopy Center, PC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Elmwood Endoscopy Center, PC has requested an exception to the requirements of 28 Pa. Code § 551.3 (relating to definitions).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL K. HUFF, R.N.,  
*Acting Secretary*

[Pa.B. Doc. No. 10-2213. Filed for public inspection November 19, 2010, 9:00 a.m.]

### Application of Ephrata Community Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Ephrata Community Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.2-2.16(2)(b) (relating to room dimensions), 2.2-2.2.2.5(1)(a) (relating to handwashing station), 2.2-2.16.4.2 (relating to bariatric isolation room) and 2.2-16.2.2(3) (relating to renovation standards).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

MICHAEL K. HUFF, R.N.,  
*Acting Secretary*

[Pa.B. Doc. No. 10-2214. Filed for public inspection November 19, 2010, 9:00 a.m.]

### Application of Geisinger Wyoming Valley Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Geisinger Wyoming Valley Medical Center has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 2.1-2.6.6.1 (relating to medicine preparation room).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

MICHAEL K. HUFF, R.N.,  
*Acting Secretary*

[Pa.B. Doc. No. 10-2215. Filed for public inspection November 19, 2010, 9:00 a.m.]

### Application of Harrisburg Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Harrisburg Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 3.1.5.9(1) (relating to bathing/shower facilities).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be

reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

MICHAEL K. HUFF, R.N.,  
*Acting Secretary*

[Pa.B. Doc. No. 10-2216. Filed for public inspection November 19, 2010, 9:00 a.m.]

### Application of Hillside Endoscopy, LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Hillside Endoscopy, LLC has requested an exception to the requirements of 28 Pa. Code § 551.3 (relating to definitions).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL K. HUFF, R.N.,  
*Acting Secretary*

[Pa.B. Doc. No. 10-2217. Filed for public inspection November 19, 2010, 9:00 a.m.]

### Application of Hospital of the University of Pennsylvania for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Hospital of the University of Pennsylvania has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 3.9-3.2.2.5 (relating to handwashing station).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

MICHAEL K. HUFF, R.N.,  
*Acting Secretary*

[Pa.B. Doc. No. 10-2218. Filed for public inspection November 19, 2010, 9:00 a.m.]

### Application of J.C. Blair Memorial Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that J.C. Blair Memorial Hospital has requested an exception to the requirements of 28 Pa. Code § 127.32 (relating to written orders).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

This facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL K. HUFF, R.N.,  
*Acting Secretary*

[Pa.B. Doc. No. 10-2219. Filed for public inspection November 19, 2010, 9:00 a.m.]

### Application of Jeanes Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Jeanes Hospital has requested an exception to the requirements of 28 Pa. Code § 51.23 (relating to positron emission tomography).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL K. HUFF, R.N.,  
*Acting Secretary*

[Pa.B. Doc. No. 10-2220. Filed for public inspection November 19, 2010, 9:00 a.m.]

### Application of Kindred Hospital Delaware County for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Kindred Hospital Delaware County has requested an exception to the requirements of 28 Pa. Code § 107.2 (relating to medical staff membership).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL K. HUFF, R.N.,  
*Acting Secretary*

[Pa.B. Doc. No. 10-2221. Filed for public inspection November 19, 2010, 9:00 a.m.]



### Application of Leo McCafferty, MD Plastic Surgery Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Leo McCafferty, MD, Plastic Surgery Center has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 3.1-6.1.4 (relating to public toilets), 3.7-3.8.1 (relating to outpatient surgery change area) and 3.7-3.4.2.3 (relating to Phase II recovery).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

MICHAEL K. HUFF, R.N.,  
Acting Secretary

[Pa.B. Doc. No. 10-2222. Filed for public inspection November 19, 2010, 9:00 a.m.]

### Application of Mercy Tyler Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Mercy Tyler Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 2.2-3.1.3.6(9)(a) (relating to location).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be

reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

MICHAEL K. HUFF, R.N.,  
Acting Secretary

[Pa.B. Doc. No. 10-2223. Filed for public inspection November 19, 2010, 9:00 a.m.]

### Application of Montrose General Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Montrose General Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 2.1-8.5.3.2 (relating to technology distribution room).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

MICHAEL K. HUFF, R.N.,  
Acting Secretary

[Pa.B. Doc. No. 10-2224. Filed for public inspection November 19, 2010, 9:00 a.m.]

### Application of Physicians Care Surgical Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Physicians Care Surgical Hospital has requested an exception to the requirements of 28 Pa. Code §§ 101.172, 107.26 and 125.2 (relating to patient limits; additional committees; and blood transfusion).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL K. HUFF, R.N.,  
Acting Secretary

[Pa.B. Doc. No. 10-2225. Filed for public inspection November 19, 2010, 9:00 a.m.]

### Application of Pinnacle Health Cardiovascular Diagnostic Services Harrisburg for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Pinnacle Health Cardiovascular Diagnostic Services Harrisburg has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 3.1-3.6.1 (relating to nurse stations), 3.1-3.6.6 (relating to medication distribution station) and 3.1-3.6.7 (relating to nourishment area or room).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or

hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

MICHAEL K. HUFF, R.N.,  
Acting Secretary

[Pa.B. Doc. No. 10-2226. Filed for public inspection November 19, 2010, 9:00 a.m.]

### Application of Pinnacle Outpatient Cardiovascular Diagnostic Services Wormleysburg for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Pinnacle Outpatient Cardiovascular Diagnostic Services Wormleysburg has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 3.1-3.6.1 (relating to nurse stations), 3.1-3.6.6 (relating to medication distribution station) and 3.1-3.6.7 (relating to nourishment area or room).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

MICHAEL K. HUFF, R.N.,  
Acting Secretary

[Pa.B. Doc. No. 10-2227. Filed for public inspection November 19, 2010, 9:00 a.m.]

### Application of Pinnacle Women's Cancer Treatment Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Pinnacle Women's Cancer Treatment Center has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The

facility specifically requests exception from the following standards contained in this publication: 3.6-3.2.3 (relating to privacy), 3.6-3.2.4 (relating to nurse's station), 3.6-3.2.6 (relating to patient toilet), 3.6-3.6.10.1 (relating to soiled workroom) and 3.6-3.6.11.1 (relating to stretchers/wheelchair storage).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

MICHAEL K. HUFF, R.N.,  
*Acting Secretary*

[Pa.B. Doc. No. 10-2228. Filed for public inspection November 19, 2010, 9:00 a.m.]

### **Application of Riverview Surgery Center at the Navy Yard for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Riverview Surgery Center at the Navy Yard has requested an exception to the requirements of 28 Pa. Code § 551.21 (relating to criteria for ambulatory surgery).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers, or for speech and/or

hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL K. HUFF, R.N.,  
*Acting Secretary*

[Pa.B. Doc. No. 10-2229. Filed for public inspection November 19, 2010, 9:00 a.m.]

### **Application of Soldiers and Sailors Memorial Hospital for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Soldiers and Sailors Memorial Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 3.12-3.8.5 (relating to toilet rooms).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

MICHAEL K. HUFF, R.N.,  
*Acting Secretary*

[Pa.B. Doc. No. 10-2230. Filed for public inspection November 19, 2010, 9:00 a.m.]

### **Application of The Surgery and Laser Center for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Surgery and Laser Center has requested an exception to the requirements of 28 Pa. Code §§ 553.31 and 559.2 (relating to administrative responsibilities; and director of nursing).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.



Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL K. HUFF, R.N.,  
Acting Secretary

[Pa.B. Doc. No. 10-2231. Filed for public inspection November 19, 2010, 9:00 a.m.]

### Application of UPMC Horizon for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC Horizon has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 3.1.5.9(3) (relating to special bathing facilities).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

MICHAEL K. HUFF, R.N.,  
Acting Secretary

[Pa.B. Doc. No. 10-2232. Filed for public inspection November 19, 2010, 9:00 a.m.]

### Application of UPMC McKeesport for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives

notice that UPMC McKeesport has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 2.1-8.2.1.2 (relating to ventilation requirements).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

MICHAEL K. HUFF, R.N.,  
Acting Secretary

[Pa.B. Doc. No. 10-2233. Filed for public inspection November 19, 2010, 9:00 a.m.]

### Application of UPMC St. Margaret Cancer Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC St. Margaret Cancer Center has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 3.1-3.2.2.2(1) (relating to minimum exam room size), 3.6-3.2.2.1 (relating to infusion patient cubicle size), 3.6-3.2.2.2 (relating to infusion patient chair clearance) and 3.6-3.6.10.1 (relating to soiled workroom clinical service sink).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

MICHAEL K. HUFF, R.N.,  
*Acting Secretary*

[Pa.B. Doc. No. 10-2234. Filed for public inspection November 19, 2010, 9:00 a.m.]

### Application of Uniontown Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Uniontown Hospital has requested an exception to the requirements of 28 Pa. Code § 101.172 (relating to patient limits).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL K. HUFF, R.N.,  
*Acting Secretary*

[Pa.B. Doc. No. 10-2235. Filed for public inspection November 19, 2010, 9:00 a.m.]

### Application of Wayne Memorial Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Wayne Memorial Hospital has requested an exception to the requirements of 28 Pa. Code § 101.12 (relating to exceptions for innovative programs).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL K. HUFF, R.N.,  
*Acting Secretary*

[Pa.B. Doc. No. 10-2236. Filed for public inspection November 19, 2010, 9:00 a.m.]

### Application of Westfield Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Westfield Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 2.1-5.1.3.4 (relating to triage room).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

MICHAEL K. HUFF, R.N.,  
*Acting Secretary*

[Pa.B. Doc. No. 10-2237. Filed for public inspection November 19, 2010, 9:00 a.m.]

### Application of Wilkes-Barre General Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Wilkes-Barre General Hospital has requested

an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 2.1-8.5.3.2 (relating to technology distribution rooms).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

MICHAEL K. HUFF, R.N.,  
Acting Secretary

[Pa.B. Doc. No. 10-2238. Filed for public inspection November 19, 2010, 9:00 a.m.]

### Application of York Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that York Hospital has requested an exception to the requirements of 28 Pa. Code § 107.62(b) (relating to oral orders).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers, or for speech and/or

hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL K. HUFF, R.N.,  
Acting Secretary

[Pa.B. Doc. No. 10-2239. Filed for public inspection November 19, 2010, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania \$50 A Day For Life 2nd Edition '10 Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania \$50 A Day For Life 2nd Edition '10.

2. *Price:* The price of a Pennsylvania \$50 A Day For Life 2nd Edition '10 instant lottery game ticket is \$1.

3. *Play Symbols:* Each Pennsylvania \$50 A Day For Life 2nd Edition '10 instant lottery game ticket will contain one play area. The play symbols and their captions, located in the play area are: Bell (BELL) symbol, Chest (CHEST) symbol, Clover (CLOVER) symbol, Coins (COINS) symbol, Diamond (DMND) symbol, Piggy Bank (PIGBNK) symbol, Pot (POT) symbol, Rainbow (RAINBW) symbol, Safe (SAFE) symbol, Horse Shoe (SHOE) symbol, Wallet (WALLET) symbol and a Moneybag (MNYBAG) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: FREE (TICKET), \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$3<sup>00</sup> (THR DOL), \$4<sup>00</sup> (FOR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN) and LIFE (\$50/DAY/LIFE).

5. *Prizes:* The prizes that can be won in this game are: Free \$1 Ticket, \$1, \$2, \$3, \$4, \$5, \$10, \$20, \$50, \$100 and \$50 a day for life (\$365,000 lifetime minimum). The player can win up to 5 times on the ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 24,000,000 tickets will be printed for the Pennsylvania \$50 A Day For Life 2nd Edition '10 instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets with a Moneybag (MNYBAG) symbol in the play area, and a LIFE (\$50/DAY/LIFE) prize symbol appears in the "Prize" area under that Moneybag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$50 a day for life (\$365,000 lifetime minimum) which shall be paid by an initial cash payment of \$18,250 plus equal annual payments of \$18,250 over the lifetime of the winner or continuing under the provisions of 61 Pa. Code § 811.16 (relating to prizes payable after death of prize winner) until the \$365,000 minimum has been paid. If the winner of the Pennsylvania \$50 A Day For Life prize is younger than 18 years of age, the winner will not begin to receive the prize until the winner reaches 18 years of age. Only one claimant per ticket allowed.



(b) Holders of tickets with a Moneybag (MNYBAG) symbol in the play area, and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under that Moneybag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$100.

(c) Holders of tickets with a Moneybag (MNYBAG) symbol in the play area, and a prize symbol of \$50.00 (FIFTY) appears in the "Prize" area under that Moneybag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$50.

(d) Holders of tickets with a Moneybag (MNYBAG) symbol in the play area, and a prize symbol of \$20.00 (TWENTY) appears in the "Prize" area under that Moneybag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$20.

(e) Holders of tickets with a Moneybag (MNYBAG) symbol in the play area, and a prize symbol of \$10.00 (TEN DOL) appears in the "Prize" area under that Moneybag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$10.

(f) Holders of tickets with a Moneybag (MNYBAG) symbol in the play area, and a prize symbol of \$5.00 (FIV DOL) appears in the "Prize" area under that Moneybag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$5.

(g) Holders of tickets with a Moneybag (MNYBAG) symbol in the play area, and a prize symbol of \$4.00 (FOR DOL) appears in the "Prize" area under that Moneybag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$4.

(h) Holders of tickets with a Moneybag (MNYBAG) symbol in the play area, and a prize symbol of \$3.00 (THR DOL) appears in the "Prize" area under that Moneybag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$3.

(i) Holders of tickets with a Moneybag (MNYBAG) symbol in the play area, and a prize symbol of \$2.00 (TWO DOL) appears in the "Prize" area under that Moneybag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$2.

(j) Holders of tickets with a Moneybag (MNYBAG) symbol in the play area, and a prize symbol of \$1.00 (ONE DOL) appears in the "Prize" area under that Moneybag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$1.

(k) Holders of tickets with a Moneybag (MNYBAG) symbol in the play area, and a prize symbol of FREE (TICKET) appears in the "Prize" area under that Moneybag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of one Pennsylvania \$50 A Day For Life 2nd Edition '10 instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>Reveal A Moneybag Symbol In The Play Area And Win Prize Shown Below It. Win With Prizes Of:</i>	<i>Win</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 24,000,000 Tickets</i>
FREE	FREE \$1 TICKET	9.52	2,520,000
\$1 x 2	\$2	42.86	560,000
\$2	\$2	37.50	640,000
\$1 x 3	\$3	100	240,000
\$1 + \$2	\$3	100	240,000
\$3	\$3	100	240,000
\$1 x 5	\$5	136.36	176,000
\$5	\$5	130.43	184,000
(\$1 x 2) + (\$4 x 2)	\$10	750	32,000
\$2 x 5	\$10	750	32,000
\$5 x 2	\$10	750	32,000
\$10	\$10	300	80,000
\$5 x 4	\$20	1,000	24,000
\$10 x 2	\$20	1,000	24,000
\$20	\$20	750	32,000
\$10 x 5	\$50	3,000	8,000
(\$20 x 2) + (\$5 x 2)	\$50	3,000	8,000
\$50	\$50	1,500	16,000
\$20 x 5	\$100	240,000	100
\$50 x 2	\$100	240,000	100
\$100	\$100	240,000	100
LIFE	\$50/DAY/LIFE	6,000,000	4

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania \$50 A Day For Life 2nd Edition '10 instant lottery game tickets. The conduct of the game will be

governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania \$50 A Day For Life 2nd Edition '10, prize money from winning Pennsylvania \$50 A Day For Life 2nd Edition '10 instant lottery

game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania \$50 A Day For Life 2nd Edition '10 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania \$50 A Day For Life 2nd Edition '10 or through normal communications methods.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 10-2240. Filed for public inspection November 19, 2010, 9:00 a.m.]

## Pennsylvania 2nd Edition \$100,000 Bingo '10 Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania 2nd Edition \$100,000 Bingo '10.

2. *Price:* The price of a Pennsylvania 2nd Edition \$100,000 Bingo '10 instant lottery game ticket is \$5.

3. *Play Symbols:*

(a) Each Pennsylvania 2nd Edition \$100,000 Bingo '10 instant lottery game ticket will contain ten play areas designated as "Card 1," "Card 2," "Card 3," "Card 4," "Card 5," "Card 6," "Card 7," "Card 8," "Card 9" and "Card 10." Each "Card" will consist of 25 spaces on a 5 by 5 grid. The 77 play symbols located in the ten play areas are: The numbers 1 through 75, "FREE" symbol and a 5X symbol. The "FREE" symbol is a free space. The 5X symbol is a free space, and when it appears in a winning pattern, the prize quintuples.

(b) Each ticket will also contain a "CALLER'S CARD" area. The "CALLER'S CARD" area will consist of 30 spaces on a 10 by 3 grid. The play symbols that may be located in each space on the grid are: The letter B with a number 1 through 15; the letter I with a number 16 through 30; the letter N with a number 31 through 45; the letter G with a number 46 through 60; and the letter O with a number 61 through 75.

(c) Each ticket will also contain a separate Bingo "BONUS" area containing five play symbols. The play symbols and their captions, which may be located in the Bingo "BONUS" area, are: Cash (CASH) symbol, Moneybag (MNYBAG) symbol, Bell (BELL) symbol, Chest (CHEST) symbol, Clover (CLOVER) symbol, Coins

(COINS) symbol, Diamond (DMND) symbol, Piggy Bank (PIGBNK) symbol, Pot Of Gold (POT) symbol, Rainbow (RAINBW) symbol, Safe (SAFE) symbol, Horse Shoe (SHOE) symbol and a Wallet (WALLET) symbol. The Bingo "BONUS" is played separately from the rest of the game.

4. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$15, \$20, \$25, \$50, \$100, \$250, \$500, \$1,000, \$10,000 and \$100,000. The prizes that can be won in Bingo "BONUS" area are: \$20 and \$100. The player can win up to seven times on each ticket.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 14,400,000 tickets will be printed for the Pennsylvania 2nd Edition \$100,000 Bingo '10 instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets matching the "CALLER'S CARD" play symbols to eight spaces appearing in the highlighted "Diamond" pattern, which includes the space appearing in the top horizontal row in the "N" column; the spaces appearing in the second horizontal row from the top in the "I" and "G" columns; the spaces appearing in the third horizontal row from the top in the "B" and "O" columns; the spaces appearing in the fourth horizontal row from the top in the "I" and "G" columns; and the space appearing in the fifth horizontal row from the top in the "N" column on "Card 1" or "Card 2" or "Card 3" or "Card 4" or "Card 5" or "Card 6" or "Card 7" or "Card 8" or "Card 9" or "Card 10," shall be entitled to a prize of \$100,000.

(b) Holders of tickets matching the "CALLER'S CARD" play symbols in an "X" pattern, extending through the "FREE" space and through to each of the four corner spaces, on "Card 10," shall be entitled to a prize of \$10,000.

(c) Holders of tickets matching the "CALLER'S CARD" play symbols in an "X" pattern, extending through the "FREE" space and through to each of the four corner spaces, on "Card 8" or "Card 9," shall be entitled to a prize of \$1,000.

(d) Holders of tickets matching the "CALLER'S CARD" play symbols in a postage stamp pattern, matching four numbers to form a postage stamp (a 2 x 2 grid) in any of the four corners on "Card 10," shall be entitled to a prize of \$1,000.

(e) Holders of tickets matching the "CALLER'S CARD" play symbols in an "X" pattern, extending through the "FREE" space and through to each of the four corner spaces, on "Card 4" or "Card 5" or "Card 6" or "Card 7," shall be entitled to a prize of \$500.

(f) Holders of tickets matching the "CALLER'S CARD" play symbols in a postage stamp pattern, matching four numbers to form a postage stamp (a 2 x 2 grid) in any of the four corners on "Card 8" or "Card 9," shall be entitled to a prize of \$500.

(g) Holders of tickets matching the "CALLER'S CARD" play symbols in the four corners on "Card 10," shall be entitled to a prize of \$500.

(h) Holders of tickets matching the "CALLER'S CARD" play symbols in four of the five spaces in a horizontal, vertical or diagonal line, and a 5X symbol in the remaining space of that same horizontal, vertical or diagonal line on "Card 10," shall be entitled to a prize of \$500.

(i) Holders of tickets matching the "CALLER'S CARD" play symbols in a postage stamp pattern, matching four numbers to form a postage stamp (a 2 x 2 grid) in any of the four corners on "Card 6" or "Card 7," shall be entitled to a prize of \$250.

(j) Holders of tickets matching the "CALLER'S CARD" play symbols in the four corners on "Card 9," shall be entitled to a prize of \$250.

(k) Holders of tickets matching the "CALLER'S CARD" play symbols in four of the five spaces in a horizontal, vertical or diagonal line, and a 5X symbol in the remaining space of that same horizontal, vertical or diagonal line on "Card 9," shall be entitled to a prize of \$250.

(l) Holders of tickets matching the "CALLER'S CARD" play symbols in an "X" pattern, extending through the "FREE" space and through to each of the four corner spaces, on "Card 2" or "Card 3," shall be entitled to a prize of \$100.

(m) Holders of tickets matching the "CALLER'S CARD" play symbols in a postage stamp pattern, matching four numbers to form a postage stamp (a 2 x 2 grid) in any of the four corners on "Card 4" or "Card 5," shall be entitled to a prize of \$100.

(n) Holders of tickets matching the "CALLER'S CARD" play symbols in the four corners on "Card 7" or "Card 8," shall be entitled to a prize of \$100.

(o) Holders of tickets matching the "CALLER'S CARD" play symbols in a five-space horizontal, vertical or diagonal line on "Card 10," shall be entitled to a prize of \$100.

(p) Holders of tickets with a Moneybag symbol (MNYBAG), in the Bingo "BONUS" area, on a single ticket, shall be entitled to a prize of \$100.

(q) Holders of tickets matching the "CALLER'S CARD" play symbols in an "X" pattern, extending through the "FREE" space and through to each of the four corner spaces, on "Card 1," shall be entitled to a prize of \$50.

(r) Holders of tickets matching the "CALLER'S CARD" play symbols in a postage stamp pattern, matching four numbers to form a postage stamp (a 2 x 2 grid) in any of the four corners on "Card 3," shall be entitled to a prize of \$50.

(s) Holders of tickets matching the "CALLER'S CARD" play symbols in the four corners on "Card 4" or "Card 5" or "Card 6," shall be entitled to a prize of \$50.

(t) Holders of tickets matching the "CALLER'S CARD" play symbols in a five-space horizontal, vertical or diagonal line on "Card 9," shall be entitled to a prize of \$50.

(u) Holders of tickets matching the "CALLER'S CARD" play symbols in four of the five spaces in a horizontal, vertical or diagonal line, and a 5X symbol in the remaining space of that same horizontal, vertical or diagonal line on "Card 6" or "Card 7" or "Card 8," shall be entitled to a prize of \$50.

(v) Holders of tickets matching the "CALLER'S CARD" play symbols in a postage stamp pattern, matching four numbers to form a postage stamp (a 2 x 2 grid) in any of the four corners on "Card 2," shall be entitled to a prize of \$25.

(w) Holders of tickets matching the "CALLER'S CARD" play symbols in the four corners on "Card 3," shall be entitled to a prize of \$25.

(x) Holders of tickets matching the "CALLER'S CARD" play symbols in four of the five spaces in a horizontal, vertical or diagonal line, and a 5X symbol in the remaining space of that same horizontal, vertical or diagonal line on "Card 1" or "Card 2" or "Card 3" or "Card 4" or "Card 5," shall be entitled to a prize of \$25.

(y) Holders of tickets with a Cash (CASH) symbol, in the Bingo "BONUS" area, on a single ticket, shall be entitled to a prize of \$20.

(z) Holders of tickets matching the "CALLER'S CARD" play symbols in a postage stamp pattern, matching four numbers to form a postage stamp (a 2 x 2 grid) in any of the four corners on "Card 1," shall be entitled to a prize of \$15.

(aa) Holders of tickets matching the "CALLER'S CARD" play symbols in the four corners on "Card 1" or "Card 2," shall be entitled to a prize of \$10.

(bb) Holders of tickets matching the "CALLER'S CARD" play symbols in a five-space horizontal, vertical or diagonal line on "Card 6" or "Card 7" or "Card 8," shall be entitled to a prize of \$10.

(cc) Holders of tickets matching the "CALLER'S CARD" play symbols in a five-space horizontal, vertical or diagonal line on "Card 1" or "Card 2" or "Card 3" or "Card 4" or "Card 5," shall be entitled to a prize of \$5.

(dd) A player may win more than one prize on a ticket; however, the player cannot win more than one prize on each "Card."

*7. Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>Win With Prize(s) Of:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. of Winners Per 14,400,000 Tickets</i>
LINE CARD 1	\$5	40	360,000
LINE CARD 2	\$5	40	360,000
LINE CARD 3	\$5	40	360,000
LINE CARD 4	\$5	40	360,000
LINE CARD 5	\$5	60	240,000
LINE CARD 6	\$10	150	96,000
LINE CARD 7	\$10	150	96,000
LINE CARD 8	\$10	150	96,000
LINE CARDS 1 & 2	\$10	150	96,000
LINE CARDS 4 & 5	\$10	150	96,000
4 CORNERS CARD 1	\$10	150	96,000



<i>Win With Prize(s) Of:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. of Winners Per 14,400,000 Tickets</i>
4 CORNERS CARD 2	\$10	150	96,000
POSTAGE STAMP CARD 1	\$15	60	240,000
LINE CARDS 1, 2, 3 & 4	\$20	300	48,000
(LINE CARDS 2 & 5) + (4 CORNERS CARD 1)	\$20	300	48,000
\$20 w/CASH	\$20	120	120,000
4 CORNERS CARDS 1 & 2	\$20	300	48,000
LINE CARD 1 w/5X MULTIPLIER	\$25	600	24,000
LINE CARD 2 w/5X MULTIPLIER	\$25	600	24,000
LINE CARD 3 w/5X MULTIPLIER	\$25	600	24,000
LINE CARD 4 w/5X MULTIPLIER	\$25	600	24,000
LINE CARD 5 w/5X MULTIPLIER	\$25	600	24,000
LINE CARDS 1, 2, 3, 4 & 5	\$25	600	24,000
4 CORNERS CARD 3	\$25	600	24,000
(\$20 w/CASH) + (LINE CARD 1)	\$25	150	96,000
POSTAGE STAMP CARD 2	\$25	600	24,000
LINE CARD 9	\$50	1,200	12,000
(LINE CARD 1 w/5X MULTIPLIER) + (LINE CARD 2 w/5X MULTIPLIER)	\$50	1,200	12,000
(LINE CARD 3 w/5X MULTIPLIER) + (LINE CARD 4 w/5X MULTIPLIER)	\$50	1,200	12,000
LINE CARD 6 w/5X MULTIPLIER	\$50	1,200	12,000
LINE CARD 7 w/5X MULTIPLIER	\$50	1,200	12,000
LINE CARD 8 w/5X MULTIPLIER	\$50	1,200	12,000
LINE CARDS 2, 3, 4, 5, 6, 7 & 8	\$50	1,200	12,000
(POSTAGE STAMP CARDS 1 & 2) + (LINE CARDS 3 & 4)	\$50	1,200	12,000
"X" CARD 1	\$50	1,200	12,000
4 CORNERS CARD 4	\$50	1,200	12,000
4 CORNERS CARD 5	\$50	1,200	12,000
4 CORNERS CARD 6	\$50	1,200	12,000
(\$20 w/CASH) + (LINE CARDS 6, 7 & 8)	\$50	358.21	40,200
POSTAGE STAMP CARD 3	\$50	1,200	12,000
LINE CARD 10	\$100	2,667	5,400
4 CORNERS CARD 7	\$100	2,667	5,400
4 CORNERS CARD 8	\$100	2,667	5,400
POSTAGE STAMP CARD 4	\$100	3,000	4,800
POSTAGE STAMP CARD 5	\$100	3,000	4,800
"X" CARD 2	\$100	3,000	4,800
"X" CARD 3	\$100	3,000	4,800
(\$20 w/CASH) + (LINE CARDS 1 & 9) + (4 CORNERS CARD 3)	\$100	3,000	4,800
\$100 w/MONEYBAG	\$100	3,000	4,800
("X" CARD 1) + (4 CORNERS CARD 4)	\$100	3,000	4,800
LINE CARD 9 w/5X MULTIPLIER	\$250	60,000	240
POSTAGE STAMP CARD 6	\$250	60,000	240
POSTAGE STAMP CARD 7	\$250	60,000	240
4 CORNERS CARD 9	\$250	60,000	240
LINE CARD 10 w/5X MULTIPLIER	\$500	120,000	120
4 CORNERS CARD 10	\$500	120,000	120
"X" CARD 4	\$500	120,000	120
"X" CARD 5	\$500	120,000	120
"X" CARD 6	\$500	120,000	120
"X" CARD 7	\$500	120,000	120
(\$100 w/MONEYBAG) + (4 CORNERS CARDS 7 & 8) + (POSTAGE STAMP CARD 4) + ("X" CARD 2)	\$500	120,000	120
POSTAGE STAMP CARD 8	\$500	120,000	120
POSTAGE STAMP CARD 9	\$500	120,000	120
("X" CARD 4) + (POSTAGE STAMP CARD 8)	\$1,000	40,000	360
("X" CARD 5) + (4 CORNERS CARD 10)	\$1,000	40,000	360
"X" CARD 8	\$1,000	60,000	240
"X" CARD 9	\$1,000	60,000	240

<i>Win With Prize(s) Of:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. of Winners Per 14,400,000 Tickets</i>
POSTAGE STAMP CARD 10	\$1,000	60,000	240
"X" CARD 10	\$10,000	720,000	20
DIAMOND PATTERN ON ANY CARD	\$100,000	720,000	20

Cash symbol in Bonus area = win \$20.

Moneybag symbol in Bonus area = win \$100.

When a 5X multiplier symbol appears in any winning pattern, win five times the prize shown for that win.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania 2nd Edition \$100,000 Bingo '10 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

9. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania 2nd Edition \$100,000 Bingo '10, prize money from winning Pennsylvania 2nd Edition \$100,000 Bingo '10 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania 2nd Edition \$100,000 Bingo '10 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

10. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

11. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania 2nd Edition \$100,000 Bingo '10 or through normal communications methods.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 10-2241. Filed for public inspection November 19, 2010, 9:00 a.m.]

### **Pennsylvania 3rd Edition Goldbar Cro\$\$word '10 Instant Lottery Game**

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania 3rd Edition Goldbar Cro\$\$word '10.

2. *Price:* The price of a Pennsylvania 3rd Edition Goldbar Cro\$\$word '10 instant lottery game ticket is \$3.

3. *Play Symbols:* Each Pennsylvania 3rd Edition Goldbar Cro\$\$word '10 instant lottery game ticket will feature a "YOUR LETTERS" area, a crossword puzzle play grid for the "Goldbar Cro\$\$word" game and a "BONUS" play area. The "BONUS" area is played separately. The play symbols and their captions located in the "YOUR LETTERS" area are: the letters A through and including Z. The play symbols located in the "Goldbar Cro\$\$word" puzzle play grid are: the letters A through and including Z. The play symbols and their captions located in the "BONUS" play area are: Cash symbol (CASH), Chest symbol (CHEST), Gift symbol (GIFT), Moneybag symbol (MNYBAG), Money symbol (MONEY), Gold Nugget symbol (GLDNGT) and a Gold Bar symbol (GLDBAR).

4. *Prizes:* The prizes that can be won in the "Goldbar Cro\$\$word" game are: \$3, \$5, \$10, \$20, \$30, \$50, \$100, \$1,000 and \$60,000. The prizes that can be won in the "BONUS" game are: \$10 and \$100. A player can win up to 2 times on a ticket.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 14,400,000 tickets will be printed for the Pennsylvania 3rd Edition Goldbar Cro\$\$word '10 instant lottery game.

#### *6. Determination of Prize Winners:*

(a) The determination of the prize winners for the "Goldbar Cro\$\$word" game are:

(1) Holders of tickets where the player completely uncovers 10 words in the crossword puzzle play grid for the "Goldbar Cro\$\$word" game, using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$60,000.

(2) Holders of tickets where the player completely uncovers 9 words in the crossword puzzle play grid for the "Goldbar Cro\$\$word" game, using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$1,000.

(3) Holders of tickets where the player completely uncovers 8 words in the crossword puzzle play grid for the "Goldbar Cro\$\$word" game, using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$100.

(4) Holders of tickets where the player completely uncovers 7 words in the crossword puzzle play grid for the "Goldbar Cro\$\$word" game, using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$50.

(5) Holders of tickets where the player completely uncovers 6 words in the crossword puzzle play grid for the “Goldbar Cro\$\$\$word” game, using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$30.

(6) Holders of tickets where the player completely uncovers 5 words in the crossword puzzle play grid for the “Goldbar Cro\$\$\$word” game, using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$20.

(7) Holders of tickets where the player completely uncovers 4 words in the crossword puzzle play grid for the “Goldbar Cro\$\$\$word” game, using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$10.

(8) Holders of tickets where the player completely uncovers 3 words in the crossword puzzle play grid for the “Goldbar Cro\$\$\$word” game, using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$5.

(9) Holders of tickets where the player completely uncovers 2 words in the crossword puzzle play grid for the “Goldbar Cro\$\$\$word” game, using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$3.

(b) The determination of the prize winners for the “BONUS” area are:

(1) Holders of tickets with a Gold Bar (GLDBAR) play symbol in any one of the “BONUS” spots, on a single ticket, shall be entitled to a prize of \$10.

(2) Holders of tickets with a Gold Bar (GLDBAR) play symbol in each of the five “BONUS” spots, on a single ticket, shall be entitled to a prize of \$100.

7. *Game Play Instructions for the “Goldbar Cro\$\$\$word” game are:*

(a) The player shall scratch the “YOUR LETTERS” area to reveal 18 letters. For each of the 18 letters revealed in the “YOUR LETTERS” area, the player shall rub the same letter each time it is found in the “Goldbar Cro\$\$\$word” puzzle play area.

(b) When a player reveals two or more entire words in the “Goldbar Cro\$\$\$word” puzzle play area, the player is entitled to win a prize as described in Section 6(a).

(c) Only the highest prize won in the “Goldbar Cro\$\$\$word” instant lottery game and the highest prize won in the “BONUS” game will be paid if the ticket meets the criteria established in 61 Pa. Code § 819.213 (relating to ticket validation and requirements).

(d) For purposes of this game, a word must contain at least three letters and cannot be formed by linking letters diagonally or by reading the letters from the bottom to the top.

(e) Letters combined to form a word must appear in an unbroken horizontal or vertical string of letters in the “Goldbar Cro\$\$\$word” puzzle play area. An unbroken string of letters cannot be interrupted by a black space and must contain every single letter square between two black spaces.

(f) Every single letter in the unbroken string must be revealed in the “YOUR LETTERS” area and be included to form a word.

(g) The possible complete words for each ticket in the game are shown on the “Goldbar Cro\$\$\$word” puzzle play grid of the ticket. The player must match all of the letters in a possible complete word in order to complete the word.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>Win Prize(s) With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 14,400,000 Tickets:</i>
2 WORDS	\$3	7.69	1,872,000
3 WORDS	\$5	12.50	1,152,000
4 WORDS	\$10	125	115,200
\$10 (GOLD BAR)	\$10	55.56	259,200
5 WORDS	\$20	200	72,000
4 WORDS + \$10 (GOLD BAR)	\$20	100	144,000
6 WORDS	\$30	1,200	12,000
5 WORDS + \$10 (GOLD BAR)	\$30	1,200	12,000
7 WORDS	\$50	800	18,000
8 WORDS	\$100	1,200	12,000
\$100 (GOLD BAR)	\$100	385.85	37,320
9 WORDS	\$1,000	10,909	1,320
10 WORDS	\$60,000	720,000	20

BONUS = Get a GOLD BAR (GLDBAR) symbol in any spot, win \$10. Get five GOLD BAR (GLDBAR) symbols, win \$100.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania 3rd Edition Goldbar Cro\$\$\$word '10 instant lottery game tickets. The conduct of the game will be

governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania 3rd Edition Goldbar Cro\$\$\$word '10, prize money from winning Pennsylvania 3rd Edition Goldbar Cro\$\$\$word '10 instant lot-



tery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania 3rd Edition Goldbar Cro\$\$word '10 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania 3rd Edition Goldbar Cro\$\$word '10 or through normal communications methods.

C. DANIEL HASSELL,  
*Secretary*

[Pa.B. Doc. No. 10-2242. Filed for public inspection November 19, 2010, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, November 4, 2010, and announced the following:

*Regulations Deemed Approved under section 5(g) of the Regulatory Review Act—Effective November 3, 2010:*

State Board of Barber Examiners #16A-427: Student Records and Curriculum (adds 49 Pa. Code § 3.71 and amends §§ 3.72, 3.87, 3.90 and 3.103)

*Action Taken—Regulations Approved:*

Pennsylvania Public Utility Commission #57-266: Licensing Requirements for Natural Gas Suppliers (amends 52 Pa. Code Chapter 62)

Department of General Services #8-14: State Metrology Laboratory Fee Schedule (amends 70 Pa. Code § 110.2)

State Board of Crane Operators #16A-7101: Crane Operators: Initial Rulemaking (amends 49 Pa. Code by adding Chapter 6)

Environmental Quality Board #7-437: Lead and Copper Rule Short Term Revisions (amends 25 Pa. Code Chapter 109)

Environmental Quality Board #7-447: Flat Wood Paneling Surface Coating Processes (amends 25 Pa. Code Chapters 121 and 129)

Environmental Quality Board #7-428: Adhesives, Sealants, Primers and Solvents (amends 25 Pa. Code Chapters 121, 129 and 130)

### Approval Order

Public Meeting held  
November 4, 2010

*Commissioners Voting:* Arthur Coccodrilli, Chairperson; George D. Bedwick, Vice Chairperson; S. David Fineman, Esq.; Silvan B. Lutkewitte, III; John F. Mizner, Esq.

*Pennsylvania Public Utility Commission—  
Licensing Requirements for Natural Gas Suppliers;  
Regulation No. 57-266 (#2754)*

On March 19, 2009, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking amends 52 Pa. Code Chapter 62. The proposed regulation was published in the April 4, 2009 *Pennsylvania Bulletin* with a 60-day public comment period. The final-form regulation was submitted to the Commission on September 28, 2010.

This regulation revises the security requirements for licensing retail natural gas suppliers.

We have determined this regulation is consistent with the statutory authority of the PUC (66 Pa.C.S. §§ 2203(12) and 2208(c)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

### Approval Order

Public Meeting held  
November 4, 2010

*Commissioners Voting:* Arthur Coccodrilli, Chairperson; George D. Bedwick, Vice Chairperson; S. David Fineman, Esq.; Silvan B. Lutkewitte, III; John F. Mizner, Esq.

*Department of General Services—  
State Metrology Laboratory Fee Schedule;  
Regulation No. 8-14 (#2796)*

On September 29, 2009, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of General Services (Department). This rulemaking amends 70 Pa. Code § 110.2. The proposed regulation was published in the October 10, 2009 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on September 27, 2010.

The regulation increases 12 fees for calibration, type evaluation and other testing services performed by the State Metrology Laboratory.

We have determined this regulation is consistent with the statutory authority of the Department (3 Pa.C.S. §§ 4110, 4178 and 4190) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

**Approval Order**

Public Meeting held  
November 4, 2010

*Commissioners Voting:* Arthur Coccodrilli, Chairperson; George D. Bedwick, Vice Chairperson; S. David Fine-  
man, Esq.; Silvan B. Lutkewitte, III; John F. Mizner,  
Esq.

*State Board of Crane Operators—  
Crane Operators; Initial Rulemaking;  
Regulation No. 16A-7101 (#2850)*

On May 25, 2010, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Crane Operators (Board). This rulemaking amends 49 Pa. Code by adding Chapter 6. The proposed regulation was published in the June 5, 2010 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on September 30, 2010.

This rulemaking implements the Crane Operators Licensure Act.

We have determined this regulation is consistent with the statutory authority of the Board (63 P. S. § 2400.2102) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

**Approval Order**

Public Meeting held  
November 4, 2010

*Commissioners Voting:* Arthur Coccodrilli, Chairperson; George D. Bedwick, Vice Chairperson; S. David Fine-  
man, Esq.; Silvan B. Lutkewitte, III; John F. Mizner,  
Esq.

*Environmental Quality Board—  
Lead and Copper Rule Short Term Revisions;  
Regulation No. 7-437 (#2790)*

On September 9, 2009, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (Board). This rulemaking amends 25 Pa. Code Chapter 109. The proposed regulation was published in the September 26, 2009 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on October 1, 2010.

This final-form rulemaking amends the lead and copper rules of the Department of Environmental Protection's Safe Drinking Water regulations to incorporate federal requirements needed to maintain primary enforcement authority.

We have determined this regulation is consistent with the statutory authority of the Board (35 P. S. § 721.4(a)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

**Approval Order**

Public Meeting held  
November 4, 2010

*Commissioners Voting:* Arthur Coccodrilli, Chairperson; George D. Bedwick, Vice Chairperson; S. David Fine-  
man, Esq.; Silvan B. Lutkewitte, III; John F. Mizner,  
Esq.

*Environmental Quality Board—  
Flat Wood Paneling Surface Coating Processes;  
Regulation No. 7-447 (#2801)*

On October 6, 2009, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (Board). This rulemaking amends 25 Pa. Code Chapters 121 and 129. The proposed regulation was published in the October 17, 2009 *Pennsylvania Bulletin* with a 65-day public comment period. The final-form regulation was submitted to the Commission on October 1, 2010.

The final-form regulation limits volatile organic compound emissions from flat wood paneling surface coating operations.

We have determined this regulation is consistent with the statutory authority of the Board (35 P. S. §§ 4005(a)(1) and 4005(a)(8)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

**Approval Order**

Public Meeting held  
November 4, 2010

*Commissioners Voting:* Arthur Coccodrilli, Chairperson; George D. Bedwick, Vice Chairperson; S. David Fine-  
man, Esq.; Silvan B. Lutkewitte, III; John F. Mizner,  
Esq.

*Environmental Quality Board—  
Adhesives, Sealants, Primers and Solvents;  
Regulation No. 7-428 (#2755)*

On March 20, 2009, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (Board). This rulemaking amends 25 Pa. Code Chapters 121, 129 and 130. The proposed regulation was published in the April 4, 2009 *Pennsylvania Bulletin* with a 65-day public comment period. The final-form regulation was submitted to the Commission on October 1, 2010.

The regulation adds volatile organic compound emission limits for the use and application of 37 categories of products that are currently unregulated in this Common-

wealth, including adhesives, sealants, adhesive and sealant primers, and adhesive or sealant products applied to particular substrates.

We have determined this regulation is consistent with the statutory authority of the Board (35 P. S. §§ 4005(a)(1) and (a)(8)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

ARTHUR COCCODRILLI,  
*Chairperson*

[Pa.B. Doc. No. 10-2243. Filed for public inspection November 19, 2010, 9:00 a.m.]

### Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the dates noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or a copy can be obtained on the web site, [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

#### *Final-Form*

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
15-450	Department of Revenue Amendments to Pennsylvania Gaming Cash Flow Management	11/03/10	12/16/10
12-74	Department of Labor and Industry Unemployment Compensation; Employee Provisions	11/09/10	12/16/10
12-78	Department of Labor and Industry Unemployment Compensation; Administration	11/09/10	12/16/10
11-240	Insurance Department Education and Training for Applicants and Insurance Producers	11/09/10	12/16/10
11-245	Insurance Department Property and Casualty Actuarial Opinion	11/09/10	12/16/10
11-244	Insurance Department Actuarial Opinion and Memorandum	11/09/10	12/16/10
11-246	Insurance Department Recognition of the 2001 CSO Mortality Table and the 2001 CSO Preferred Class Structure Mortality Table For Use in Determining Minimum Reserve Liabilities	11/09/10	12/16/10
11-247	Insurance Department Valuation of Life Insurance Policies	11/09/10	12/16/10

ARTHUR COCCODRILLI,  
*Chairperson*

[Pa.B. Doc. No. 10-2244. Filed for public inspection November 19, 2010, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Capital BlueCross Co. Rate/Rule Filing; Individual Medically Underwritten Comprehensive Major Medical Preferred Provider Organization Benefit Contract (PersonalBlue PPO) (Form No. IA-MU-PPO); Capital Filing No. 10-UUUU

On November 4, 2010, the Insurance Department (Department) received from Capital Advantage Insurance Co. a filing for a rate increase for its medical-surgical/major medical supp. portion of its Individual Medically Underwritten Comprehensive Major Medical Preferred Provider Organization Benefit Contract (PersonalBlue PPO) (Form No. IA-MU-PPO).

The company requests a rate increase of 9% for medical only coverage and 5.1% for medical and drug coverage per contract per month on average. This will affect about 465 contract holders and will produce additional income of about \$23,000 annually. The requested effective date of the change is January 1, 2011.

Unless formal administrative action is taken prior to February 3, 2011, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). To access the filing, under "How to Find..." click on "View Current Rate Filings."



Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Sabater, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, jsabater@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

ROBERT L. PRATTER,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 10-2245. Filed for public inspection November 19, 2010, 9:00 a.m.]

[Correction]

### **Erie Insurance Exchange; Private Passenger Automobile; Rate and Rule Revisions; Rate Filing**

An error occurred in the notice which appeared at 40 Pa.B. 6618 (November 13, 2010). The e-mail address in the last paragraph of the notice was printed incorrectly. The correct version of the e-mail address is as follows. The remainder of the text remains unchanged.

On October 21, 2010, the Insurance Department (Department) received from Erie Insurance Exchange a rate and rule filing for its new Rate Protection Endorsement.

This endorsement is available only on Erie Insurance Exchange policies which provide coverage for at least one private passenger type vehicle with a model year of at least 1990. If the Rate Protection Endorsement is added to the policy, the policy's premium will be modified and the modified premium will only change if one or more of the following changes occur:

1. Change to the location where an insured vehicle is principally garaged.
2. Addition, deletion or replacement of an auto.
3. Addition or deletion of a licensed driver in the household.
4. Addition or deletion of coverage.
5. Changes to a limit, deductible, tort selection, multi-policy status, accident prevention course status or payment plan.

If none of the previously listed changes occur, the modified annual policy premium will remain the same. An effective date of February 1, 2011, is requested.

Unless formal administrative action is taken prior to December 20, 2010, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). To access the filing, under "How to Find..." click on "View Current Rate Filings."

Interested parties are invited to submit written comments, suggestions or objections to Michael McKenney, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120,

mmckenney@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

ROBERT L. PRATTER,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 10-2165. Filed for public inspection November 12, 2010, 9:00 a.m.]

### **Keystone Health Plan Central; Individual Direct Pay HMO Conversion Contract; Rate Filing**

By filing No. 10-BB, Capital Blue Cross, on behalf of its wholly owned subsidiary Keystone Health Plan Central, requests approval of rates for the Individual Direct Pay HMO Conversion contract. The requested rate increases are 25.2% for the high option and 25.6% for the low option. The proposed rate increases would affect approximately 195 contracts and would produce additional income of about \$289,800 annually. The requested effective date of the change is January 1, 2011.

Unless formal administrative action is taken prior to February 3, 2011, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). To access the filing, under "How to Find..." click on "View Current Rate Filings."

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Rashmi Mathur, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, rmathur@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

ROBERT L. PRATTER,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 10-2246. Filed for public inspection November 19, 2010, 9:00 a.m.]

### **Liberty Mutual Insurance Company and The First Liberty Insurance Company; Homeowners Rate Revisions; Rate Filing**

On October 29, 2010, the Insurance Department (Department) received from Liberty Mutual Insurance Company and The First Liberty Insurance Company a filing for rate level changes for homeowners insurance.

Liberty Mutual Insurance Company requests an overall 2.3% increase amounting to \$1.24 million annually, to be effective February 12, 2011, for new business and March 19, 2011, for renewal business.

The First Liberty Insurance Company requests an overall 2.3% increase amounting to \$1.22 million annually, to be effective February 12, 2011, for new business and March 19, 2011, for renewal business.

Unless formal administrative action is taken prior to December 28, 2010, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). To access the filing, under "How to Find..." click on "View Current Rate Filings."

Interested parties are invited to submit written comments, suggestions or objections to Xiaofeng Lu, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [xlu@state.pa.us](mailto:xlu@state.pa.us) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

ROBERT L. PRATTER,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 10-2247. Filed for public inspection November 19, 2010, 9:00 a.m.]

### The Travelers Home and Marine Insurance Company; Private Passenger Automobile; Rate Revisions; Rate Filing

On November 5, 2010, the Insurance Department (Department) received from The Travelers Home and Marine Insurance Company a filing for rate level changes for private passenger automobile insurance.

The company requests an overall 1.70% increase amounting to \$3.129 million annually, to be effective February 20, 2011.

Unless formal administrative action is taken prior to January 4, 2011, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). To access the filing, under "How to Find..." click on "View Current Rate Filings."

Interested parties are invited to submit written comments, suggestions or objections to Eric Zhou, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [gzhou@state.pa.us](mailto:gzhou@state.pa.us) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

ROBERT L. PRATTER,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 10-2248. Filed for public inspection November 19, 2010, 9:00 a.m.]

## LEGISLATIVE REFERENCE BUREAU

### Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during

the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

### Executive Board

Resolution No. CB-10-008, Dated August 16, 2010. Authorizes the side letter of agreement between the Commonwealth and the PSRA, which provides for the creation of the new job, Department of Conservation and Natural Resources Ranger Trainee, assigned to Pay Scale Group RG28. Since Pay Scale Group RG28 does not exist, this resolution authorizes its establishment.

Resolution No. CB-10-011, Dated September 8, 2010. The Executive Board Resolution which authorizes the side letter for Pennsylvania Doctors Alliance regarding the Quality Assurance Program Payment for contract year July 1, 2009, through June 30, 2010, to be paid to all eligible members of the T4 bargaining unit employed in agencies under the Governor's jurisdiction.

Resolution No. CB-10-012, Dated September 3, 2010. The Executive Board Resolution which authorizes the side letter for Pennsylvania Doctors Alliance regarding the Quality Assurance Program Payment for contract year July 1, 2009, through June 30, 2010, to be paid to all eligible members of the T5 memorandum of understanding unit employed in agencies under the Governor's jurisdiction.

### Governor's Office

Management Directive No. 215.9—Contractor Responsibility Program, Amended October 25, 2010.

Management Directive No. 310.19—Accounting for Disbursement of Funds for Interagency Agreements, Memorandums of Understanding, and Notifications of Subgrant, Amended October 27, 2010.

MARY JANE PHELPS,  
*Director*  
*Pennsylvania Code and Bulletin*

[Pa.B. Doc. No. 10-2249. Filed for public inspection November 19, 2010, 9:00 a.m.]

## MILK MARKETING BOARD

### Hearing and Presubmission Schedule for All Milk Marketing Areas; Over-Order Premium

Under the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Areas 1—6 on December 1, 2010, at 9:30 a.m. in Room 202 of the Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning the level and duration of the Class I over-order premium to be effective January 1, 2011.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who wish to present evidence may be included on the Board's list of parties by: (1) having their attorney file with the Board on or before 1 p.m. on November 22, 2010, a notice of

appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 1 p.m. on November 22, 2010, notification of their desire to be included as a party. Parties may indicate in their notices of appearance if alternate means of service, that is, e-mail or fax, are acceptable. Notices of appearance filed electronically should be directed to [deberly@state.pa.us](mailto:deberly@state.pa.us).

The parties shall observe the following requirements for advance filing of witness information and exhibits. The Board may exclude witnesses or exhibits of a party that fails to comply with these requirements. In addition, the parties shall have available in the hearing room at least 20 additional copies made available for the use of nonparties attending the hearing.

1. By 4 p.m. on November 22, 2010, the petitioners shall file with the Board, in person or by mail, one original and six copies and ensure receipt by all other parties of one copy of:

a. A list of witnesses who will testify for the petitioner, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert witnesses there shall also be filed a statement of the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 4 p.m. on November 29, 2010, each responding party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 3 p.m. on November 30, 2010, parties shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents, or records in other proceedings before the Board, or wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 12 p.m. on November 23, 2010.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

KEITH BIERLY,  
*Secretary*

[Pa.B. Doc. No. 10-2250. Filed for public inspection November 19, 2010, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Proposal of Verizon Pennsylvania, Inc. and Verizon North Retain Co. to Modify Residential White Pages Directory Distribution Process

Public Meeting held  
November 4, 2010

*Commissioners Present:* James H. Cawley, Chairperson, Concurring in Result Only; Tyrone J. Christy, Vice Chairperson; John F. Coleman, Jr.; Wayne E. Gardner; Robert F. Powelson

*Proposal of Verizon Pennsylvania, Inc. and Verizon North Retain Co. to Modify Residential White Pages Directory Distribution Process; P-2010-2198820*

#### Order

*By the Commission:*

On September 2, 2010, Verizon Pennsylvania, Inc. and Verizon North Retain Co. ("Verizon PA" and "Verizon North" individually and "Verizon" collectively) advised this Commission that, effective January 1, 2011, Verizon intends to cease routinely providing paper copies of Verizon's residential White Pages directories absent a specific request for the directories in that format. On September 22, 2010, this Commission opened a comment period on the Verizon proposal. On October 18, 2010, the Office of Consumer Advocate (OCA) filed comments generally in support of the proposal but requested that certain conditions be imposed. No other comments or answers were received. On October 25, 2010, Verizon filed reply comments addressing OCA's comments.

Upon review, we determine that a waiver of 52 Pa. Code § 63.21 is not required in order for Verizon to implement the proposal. However, prior to implementing the change, Verizon must provide adequate notice, pursuant to Sections 102 and 1501 of the Public Utility Code, 66 Pa.C.S. §§ 102 and 1501, to customers and others that rely on the paper copy residential White Pages directories.

#### Background

On September 2, 2010, Verizon advised this Commission by letter that, effective January 1, 2011, it intends to cease routinely providing paper copies of Verizon's residential White Pages directories. Verizon intends to provide the residential listing information primarily through its website but alternatively will provide paper copies of the residential White Pages directories or CD-ROMs with the residential listing information, free of charge, upon request. Thus, customers and other entities that want paper copies of residential White Pages listing information will need to opt-in to delivery of the paper copy residential White Pages directories or the CD-ROMs. Under the proposal, Verizon will significantly reduce the nearly 12 million yearly paper copies of Pennsylvania residential White Pages directories. Verizon characterizes this as an environmentally friendly initiative desired or favored by its customers. On September 22, 2010, our Secretarial Letter opened a comment period on the Verizon proposal.

On October 18, 2010, OCA filed comments generally in support of the proposal, subject to certain conditions that OCA requested the Commission to impose. In particular, OCA requested a one-year delay in implementation and



that non-delivery of the directories be on an opt-out basis. OCA also requested additional information regarding details of customer notice. No other comments or answers were received. On October 25, 2010, Verizon filed reply comments addressing OCA's comments. Verizon and OCA have both noted that telecommunications entities in several neighboring states (including Delaware, New Jersey, and New York) have implemented or proposed implementing similar programs.

Thus, the issues before us are:

- Whether a waiver of Section 63.21 is required for Verizon to implement the proposal which will significantly reduce or eliminate delivery of residential White Pages listings in paper copy format; and

- Whether the customer notice planned by Verizon is adequate to advise consumers regarding this change to their service.

### Discussion

Verizon asserts in its October reply comments that Section 63.21 does not mandate delivery of paper copy residential White Pages directories and that, therefore, no waiver or approval from this Commission is required prior to implementation of the proposal. Verizon notes that OCA did not suggest in its comments that a waiver of Section 63.21 or permission from the Commission was required. According to Verizon, OCA's comments focused on customer notification without implying that there were any requirements that a paper copy residential White Pages directory be delivered.

Section 63.21<sup>1</sup> of our regulations provides as follows:

#### § 63.21. Directories.

(a) When a directory is provided by the public utility, it shall be revised and reissued at sufficiently frequent intervals to avoid serious inconvenience to the public. A satisfactory length for a directory period shall be determined by the volume of changes and new listings and the facilities available for supplying new numbers to calling parties and for intercepting calls to numbers which have been changed.

(b) One copy of each new directory issue shall be furnished to each subscriber and one copy sent to the Commission by the issuing public utility at the time of its distribution to subscribers.

(c) A directory shall contain the following:

(1) The name of the issuing public utility.

(2) The month and year issued.

(3) A statement of the area covered by the directory.

(4) Necessary instructions to enable users to place calls efficiently, including, but not limited to, telephone company local, toll, emergency and operator-assistance calls. Necessary instructions to transact business with the telephone company, such as payment of bills, ordering changes in service and reporting service difficulties.

(5) A separate section containing social service organization, school and government listings.

(d) A name shall be listed in a directory only if the following conditions are met:

(1) It leads to a positive and particular identification of a party.

(2) It is a name the party legally is authorized to use.

(3) It is a name used by the party in the community.

(4) It is a name which is not misleading, deceptive or confusing.

(e) Upon receiving a customer complaint alleging misleading, deceptive or confusing directory listings, a public utility shall investigate the complaint under § 63.15 (relating to complaint procedures). If the utility determines that a directory listing is misleading, deceptive or confusing, the utility shall delete the listing from future directories. After reaching its decision the public utility shall advise interested parties in writing of its opinion and shall inform them of the right to file a complaint with the Commission.

Upon review, we determine that a waiver of Section 63.21 is not required in order for Verizon to implement the proposal.<sup>2</sup> Section 63.21 does not specify a method for the delivery of the residential White Pages listing information. There is no prescription that the listing information be in paper copy format. Absent such a prescription, there is no need for a waiver should a carrier wish to alter its method of providing white pages information so long as the alternate method is reasonable, safe, adequate, and efficient, subject to adequate notice to its customers. Accordingly, the Commission finds that providing White Pages directory information through Verizon's web site and, if requested, by providing paper copies of the residential White Pages directories or CD-ROMs with the listings, at no charge, is a reasonable, adequate, and efficient means of providing White Pages information to customers.

However, because residential White Pages listings information has been an element of the jurisdictional service<sup>3</sup> provided by Verizon to its customers for decades and because Verizon proposes to substantially alter the means by which the residential White Pages listings information is to be provided, Verizon is obligated to provide adequate customer notice regarding that change in service and the options available to customers who wish to continue to receive residential White Pages in the printed format. Under Section 1501 of the Public Utility Code, Verizon is obligated to provide reasonable, efficient and adequate service. The provision of White Pages directory information is a long-standing component of Verizon's service, and, as such, Verizon must provide adequate notice of this change to customers and others that rely on the paper copy residential White Pages directories. Indeed, while many customers now rely on web-based or other electronic means to obtain the information contained in the residential White Pages directories, not all customers desire or have access to those alternative electronic means of accessing the directory.

Accordingly, having previously provided paper copy residential White Pages directories to all of its customers

<sup>2</sup> If a waiver had been warranted, we find that Verizon has demonstrated adequate justification for a waiver of Section 63.21. Consumers have numerous and varied means to obtain White Pages directory information. Verizon will continue to provide this information on its web site and, upon request, via a paper copy of the White Pages directory or on a CR-ROM. Under these circumstances, continuing to provide White Pages directories in paper format to customers that may not want them would be wasteful. Moreover, as explained by Verizon, it has provided for customers to nevertheless receive paper copies of the directory if so desired at no charge.

<sup>3</sup> Section 102 of the Public Utility Code provides that "[s]ervice, used in its broadest and most inclusive sense, includes any and all acts done, rendered, or performed, and any and all things furnished or supplied . . . by public utilities . . . in the performance of their duties under this part to their patrons . . . and the public . . ." The provision of alphabetical white pages directories has long been an element of the telephone public utility service provided to customers by Verizon and its corporate predecessors. *Felix v. Pa. PUC*, 146 A.2d 347 (Pa. Super. 1959).

<sup>1</sup> The provisions of 52 Pa. Code § 63.21 were adopted March 25, 1946; amended through June 30, 1969; amended January 29, 1988, effective July 30, 1988, 18 Pa.B. 466; amended July 17, 1998, effective July 18, 1998, 28 Pa.B. 3394.

as part of its telephone public utility service, Verizon may not substantially change that element of its service without reasonable and adequate notice to its customers and the Commission. Therefore, the Commission will review OCA's comments and determine whether Verizon's plans for customer notice in regard to the discontinuance of the paper copy residential White Pages directories are adequate.

OCA suggested a number of modifications to the customer notification that Verizon described in its September 2, 2010 letter. See OCA Comments at 11. Verizon asserts that many of OCA's suggestions are already covered in Verizon's plans. Verizon will utilize various media in its notification process, including press releases, bill messages, printed messages on the front cover of the yellow pages directories, a letter from SuperMedia<sup>4</sup> at the front of the yellow pages directories explaining how to request a free paper copy residential White Pages directory or a CD-ROM with the residential listings, and a notice on SuperMedia's web site.<sup>5</sup> Citing the significant environmental benefits of eliminating the tons of unused directories, Verizon has further requested that this Commission utilize its own web site and public relations department to educate customers on the plans as a supplement to Verizon's own efforts.

Verizon's plans for notifying its customers and others of the proposed change include customer bill inserts and for notices to be included with the paper copies of the business listings directories that will continue to be delivered. Having reviewed the proposed bill insert, the notices, and the letter from SuperMedia, we are not persuaded that the content of the insert and notices/letter is sufficient. We do not believe that the notice of this change should be used as a vehicle for advertising the ease of access to or the use of commercial yellow pages. Further, the message should come from (or at least significantly mention) Verizon; a message from SuperMedia could be easily overlooked. Accordingly, Verizon will be directed to consult with the Commission's Bureau of Consumer Services (BCS), the Office of Communications, and the Law Bureau to develop appropriate language and placement of notices and inserts.<sup>6</sup>

In its comments, OCA also expressed concern about ensuring the continued paper distribution of emergency numbers, government listings and various customer education materials. See OCA comments at 4. Verizon responds that this information will be contained in the "Consumer Guide Pages"<sup>7</sup> and governmental listing pages of the yellow pages directory that will still be distributed to all customers by SuperMedia.

We note that Section 64.191(g) of our regulations also requires that certain information be included in directories. In particular, Section 64.191(g)<sup>8</sup> specifies that

In addition to the notice requirements set forth in this chapter, . . . each LEC [(local exchange carrier)]

<sup>4</sup> SuperMedia is a third-party, independent directory publisher and will handle the order-taking and delivery of the paper copy White Pages directories and CD-ROMs.

<sup>5</sup> Verizon provided copies of the notices with its October 25, 2010, reply comments.

<sup>6</sup> The Verizon proposal will stop distribution of Verizon directories to customers of rural LECs (RLECs) and competitive LECs (CLECs). If customers of RLECs and CLECs wish to continue to receive paper copies of Verizon residential White Pages directories, those customers will need to call SuperMedia. These RLECs and CLECs will need to provide notice to their customers of the cessation of paper copies and the procedure of alternate access to listings as well for reinstating delivery of paper copies of the directories. These customer notices and bill inserts will be subject to review by Commission staff.

<sup>7</sup> Verizon has not proposed any changes to the Customer Guide Pages. Verizon intends to include it, in its entirety, in paper copies of the business White Pages directories that Verizon will continue to deliver routinely to customers and other persons.

<sup>8</sup> Initially promulgated in 1985, 14 Pa.B. 4354, 52 Pa. Code § 64.191 was amended in 1995, 25 Pa.B. 2887, and in 1998, 28 Pa.B. 3394 and 30 Pa.B. 2028.

shall prepare a summary of the rights and responsibilities of the LEC and its customers under this chapter. This written information shall be subject to Commission review and approval and shall be reproduced by the LEC, displayed prominently, available at LEC locations open to the general public, printed in each telephone directory, and made available to each customer. Thereafter, the information shall be delivered or mailed to each new customer when service begins and shall be available at all times upon request. The written information shall indicate conspicuously that it is being provided in accordance with this chapter and shall contain information including, but not limited to, the following:

- (1) Billing procedures.
- (2) Methods of customer verification of billing accuracy.
- (3) Payment requirements and procedures.
- (4) Security deposit and guarantee requirements.
- (5) Procedures for suspension, termination and reconnection of service.
- (6) Dispute, informal complaint and formal complaint procedures.
- (7) Third-party notification procedures.
- (8) Telephone numbers and addresses of the LEC and of the nearest Regional Office of the Commission where further inquiries may be made.
- (9) Definitions of terms or abbreviations used by the telephone company on its bills.

Verizon's plan to curtail the automatic delivery of paper copies of residential White Pages directories does not relieve it of the obligation imposed by Section 64.191(g). With the cessation of routine delivery of paper copies of residential White Pages directories, this information will now also need to be on Verizon's web site and in the CD-ROMs and the paper copies of the White Pages directories that it delivers on request. Additionally, the information will need to be included in the business White Pages directories that Verizon will continue to deliver routinely.

OCA also asked about multi-year distributions. OCA comments at 3 and 12. Verizon responds that it plans to treat a request for a printed directory as a "standing order" to get a new paper directory each year without requiring yearly follow-up requests. We find this to be sufficient.

Additionally, OCA queried how new customers will be informed. OCA comments at 3 and 12. Verizon plans to educate new customers on the option to request a free paper copy residential White Pages directory or CD-ROM with the listings. Verizon does not, however, plan to automatically provide a new customer with a paper copy residential White Pages directory as the customer will have had the option to request a paper copy residential White Pages directory or CD-ROM when the service was ordered. We find this to be sufficient.

Verizon does not agree with all of OCA's suggestions. Most notably, OCA would delay implementation until January 1, 2012. See OCA Comments at 3 and 9. OCA would also prefer delivery (rather than non-delivery) to be standard practice. According to Verizon, either approach would be "wasteful in the extreme." Verizon contends that OCA did not offer any legal justification or factual support for either condition.

We agree with Verizon that there is no need to delay implementation until January 1, 2012. We also are persuaded that the ability to request paper copy residential White Pages directories or CD-ROMs is adequate and will not mandate that directories be delivered unless an entity specifies "no delivery."

Any jurisdictional telecommunications entity that wishes to implement a similar plan must provide notice to the Commission detailing its proposed process to eliminate distribution of paper copies of its residential directories. Such proposals will be reviewed by Commission and will be subject to the conditions and considerations of this order.

This matter does not involve a change in statute or regulation, nor does it constitute a waiver of Commission regulations. Thus, this order does not have the effect of a change in law. Therefore, any existing contracts, such as interconnection agreements, between Verizon and other carriers or entities will not be affected by the terms of this order, and such contracts will remain in full force and effect with regard to any contract terms related to White Pages distribution.

### Conclusion

Under these facts, the Commission finds, pursuant to its authority under 66 Pa.C.S. § 3019(b)(2), that Verizon's proposal to eliminate automatic delivery of residential White Page directories in paper copy format, concurrent with the commitments that it has made in conjunction with the proposal, does not require a waiver of 52 Pa. Code § 63.21. We further find that the commitments that Verizon has made in conjunction with the proposal constitute adequate, efficient, safe, and reasonable service consistent with 66 Pa.C.S. §§ 102 and 1501. We do note some inadequacies in the language of the customer notice that Verizon has proposed and shall direct Verizon to consult with BCS and the Law Bureau to develop appropriate language for the bill inserts and notice to customers regarding the planned change in service. Should other jurisdictional telephone entities wish to propose changing their directory distribution procedures similar to the changes proposed by Verizon, they should provide notice to this Commission, OCA, and OSBA. Additionally, they should conform to the applicable ordering paragraphs of this Order relative to notice and compliance with Section 64.191; *Therefore,*

#### *It Is Ordered That:*

1. The plan of Verizon Pennsylvania, Inc. and Verizon North Retain Co. to cease routinely providing paper copies of residential White Pages directories, absent a specific request for the directories, and to provide White Pages information by alternative means does not require a waiver of 52 Pa. Code § 63.21.

2. If a waiver were deemed to be required, Verizon Pennsylvania, Inc. and Verizon North Retain Co. have presented adequate notice and justification to support a waiver of 52 Pa. Code § 63.21.

3. The methods detailed by Verizon Pennsylvania, Inc. and Verizon North Retain Co. for informing customers regarding the planned change in service and the options available to customers are consistent with their obligations under 66 Pa.C.S. §§ 102 and 1501 relative to service and adequate customer notice.

4. Verizon Pennsylvania, Inc. and Verizon North Retain Co. shall consult with the Commission's Bureau of Consumer Services, the Office of Communications, and the

Law Bureau to develop appropriate language for the customer notice and bill inserts.

5. Verizon Pennsylvania, Inc. and Verizon North Retain Co. shall provide the information required by 52 Pa. Code § 64.191(g) consistent with this order.

6. Should other jurisdictional telephone entities propose to change their directory distribution procedures similar to the changes proposed herein, they should provide notice to this Commission, the Office of Consumer Advocate, and the Office of Small Business Advocate and conform to Ordering Paragraphs 4 and 5 of this Order.

7. A copy of this order be provided to the Pennsylvania Telephone Association (PTA) and to the Pennsylvania Emergency Management Authority (PEMA).

8. A copy of this order be published in the *Pennsylvania Bulletin*.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 10-2251. Filed for public inspection November 19, 2010, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by December 6, 2010. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

**Applications of the following for approval of the *beginning* of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under each application.**

**A-2010-2198623. Millennium Limousine Group, Inc.** (111 Argyll Court, Downingtown, Chester County, PA 19335)—a corporation of the Commonwealth—in limousine service, from points in the Counties of Chester, Delaware and Montgomery, to points in Pennsylvania, and return; excluding that service which is under the jurisdiction of the Philadelphia Parking Authority, which is to be a transfer of all rights authorized under the certificate issued at A-00123710 to Mohamad Shoiab Dehyar, subject to the same limitations and conditions.

**A-2010-2209182. A-1 Limousine, Inc.** (2 Emmons Drive, Princeton, Mercer County, NJ 08450)—a corporation of the State of New Jersey—groups and parties of persons, and persons on special excursions and tours or sightseeing trips, in vehicles with a seating capacity not



exceeding 14 persons, not including the driver, between points in the Counties of Lehigh and Northampton, and from points in said Counties to points within an airline distance of 75 statute miles of the limits of said Counties, which is to be a transfer of all rights authorized under the certificate issued at A-00110212 to Corporate Livery, Inc., subject to the same limitations and conditions. *Attorney:* Barnett Satinsky, 2000 Market Street, 20th Floor, Philadelphia, PA 19103-3222.

**Application of the following for the approval of the transfer of stock as described under the application.**

**A-2010-2209143. Corporate Livery, Inc.** (4458 Commerce Drive, Whitehall, Lehigh County, PA 18052)—a corporation of the State of New Jersey, for the approval of the transfer of 100 shares of the issued stock, from Jeffrey S. Transportation, Inc. to A-1 Limousine, Inc. *Attorney:* Barnett Satinsky, 2000 Market Street, 20th Floor, Philadelphia, PA 19103-3222, (215) 299-2088.

**Applications of the following for the approval of the right and privilege to *discontinue/abandon* operating as *common carriers* by motor vehicle and for cancellation of the certificate of public convenience as described under each application.**

**A-2010-2204260. Adams Limousine and Livery Service, Inc.** (8500 West Chester Pike, Upper Darby, Delaware County, PA 19082)—to discontinue service as a common carrier by motor vehicle, at A-00097358, authorizing the transportation, as a common carrier, by motor vehicle, persons in limousine service, between points in Pennsylvania.

**A-2010-2208896. Discount Movers, Inc., t/a SBI/Discount Movers, Inc.** (3258 Main Street, P. O. Box 789, Manchester, Carroll County, MD 21102)—for the discontinuance of service and cancellation of its certificate as a common carrier, by motor vehicle, authorizing the transportation of household goods in use service, from points in the Counties of York, Adams and Lancaster, to points in Pennsylvania, and vice versa.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 10-2252. Filed for public inspection November 19, 2010, 9:00 a.m.]

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## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project No. 10-137.2, Server Room Air Conditioning, PRPA Administration Building, until 2 p.m. on Thursday, December 16, 2010. Information concerning this project can be obtained from the PRPA web site [www.philaport.com](http://www.philaport.com) under Procurement, or call the Procurement Department at (215) 426-2600.

JAMES T. MCDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 10-2253. Filed for public inspection November 19, 2010, 9:00 a.m.]

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